

AGENDA PLANNING AND ZONING & HISTORIC COMMISSION

Village of East Dundee
June 4, 2020
7:00 PM

This meeting will be conducted via teleconference call by authorization of Gov. Pritzker waiving a portion of the IL Open Meetings act to allow local governments to hold "remote" meetings to help control the spread of COVID-19

Zoom Meeting Link: <https://us02web.zoom.us/j/87849688879>

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Computer Audio Only

Click on the "Join Audio Conference by Computer" link when you join the meeting.

If you are unable to join via computer audio, use the following dial in number and Meeting ID.

US Dial in: **312-626-6799**

Meeting ID/Access Code: **878 4968 8879**

Please....

Mute Your Microphone.

Zoom has a "Mute Microphone" option. Please keep your microphone muted to cut down on feedback. Unmute to speak.

For Phone, Press *6 to mute/unmute

Raise your Hand.

A hand icon will appear beside your username and lets the meeting's managers know you have a question, input, or otherwise need some attention when possible. Click on the icon labeled "Participants" at the bottom of your screen. Click the button labeled "Raise Hand".

Refrain from the group chat feature.

**AGENDA
PLANNING AND ZONING COMMISSION
&
HISTORIC COMMISSION**

**Village of East Dundee
June 4, 2020
7:00 PM**

CALL TO ORDER

ROLL CALL / DECLARATION OF QUORUM

APPROVAL OF MINUTES

1. Planning and Zoning Commission and Historic Commission Meeting Minutes dated May 7, 2020

PUBLIC COMMENT

HISTORIC COMMISSION

1. **Certificate of Appropriateness for Signage: Nonno's Italian Kitchen & Cafe - 304 N. River Street**
 - a. Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for Nonno's Italian Kitchen & Cafe proposed Awning Sign.

NEW BUSINESS

1. **PUBLIC HEARING (509 Maxwellton Rd. - PIN: 03-23-128-020)** – to consider a request for a variance from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E- Estate District to be not less than 35 feet in depth.
 - a. Motion to recommend approval/denial of a variance from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E- Estate District to be not less than 35 feet in depth.
 - b. Motion to approve a Findings of Fact to recommend approval/denial of a variance from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E- Estate District to be not less than 35 feet in depth.
2. **PUBLIC HEARING (PINS: 03-25-300-011, 03-25-300-012)** – to consider a request to rezone the property from the R-1- Single Family District to the M-1- Limited Manufacturing District.

- a. Motion to recommend approval/denial of a request to rezone the property from the R-1- Single Family District to the M-1- Limited Manufacturing District.
 - b. Motion to approve a Findings of Fact to recommend approval/denial of a request to rezone the property from the R-1- Single Family District to the M-1- Limited Manufacturing District.
- 3. PUBLIC HEARINGS (PINS: 03-25-300-011, 03-25-300-012) – to consider a request for a variance from:**
- i. Section 155.045(G)(1) and Section 155.045(G)(4) of the Subdivision Chapter of the East Dundee Village Code requiring the maximum length of a cul-de-sac shall be 500 feet measured along the center line from the intersection at origin through center of circle to end of right-of-way and requiring the use of cul-de-sac streets shall be prohibited in multi-family, business or industrial districts.
 - ii. Section 155.054 and Section 155.096(A)(1)(c) of the Subdivision Chapter of the East Dundee Village Code requiring the sanitary sewer to be extended through the development parcel.
 - iii. Section 157.065(A)(2)(e)(3) of the Zoning Chapter of the East Dundee Village Code requiring areas utilized for accessory commercial operations yards be provided with a permanent durable and dustless surface.
 - iv. Section 157.065(A)(2)(e)(4) of the Zoning Chapter of the East Dundee Village Code requiring storage yards to be completely enclosed and screened with a solid wall or fence of not more than 12 feet in height and/or a berm or evergreen plants of any height
- a. Motion to recommend approval/denial for a variance from
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 - b. Motion to approve a Findings of Fact to recommend approval/denial of a variance from
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- ii. Section 155.054 and Section 155.096(A)(1)(c) of the Subdivision Chapter of the East Dundee Village Code requiring the sanitary sewer to be extended through the development parcel.
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OTHER BUSINESS

ADJOURNMENT

Chairman Brewer called the Planning and Zoning & Historic Commission meeting to order at 7:00 p.m. Roll: 9 Present (Apke, Bernstein, Brewer, Holliman, Meyer, Muscat, Scarpelli, Schock and Steneck). 0 Absent. Also present were Assistant Village Administrator Brad Mitchell, Building Inspector Chris Ranieri, Village Engineer Joe Heinz and Village Clerk Katherine Holt.

APPROVAL OF MINUTES:

1. Planning and Zoning and Historic Commission Meeting Minutes dated February 5, 2020

Motion to approve the February 5, 2020 meeting minutes by Scarpelli/Apke. Motion carries by unanimous vote.

PUBLIC COMMENT: None

NEW BUSINESS

1. PUBLIC HEARING (Text Amendment) – To consider a text amendment amending various sections of Chapter 157 of the Village of East Dundee Village Code regarding building on lots.

Motion to open the Public Hearing by Scarpelli/Muscat. Motion carries by unanimous vote.

John Curtis, General Contractor of the project, stated that currently only one building is allowed per lot. He is requesting a variance that would permit two buildings on one lot. Engineer Heinz added that if the text amendment is approved, a variance would not be needed. Mr. Curtis also has a request to rezone the lot to an R-5 district. He advised this project is identical to the project he did next door at 811 E. Main Street. He advised that traffic will flow through the 811 project and an additional access point that had previously been put in place from the Dominick's store site.

There was no further comment or discussion from the public.

Motion to close the Public Hearing by Scarpelli/Apke. Motion carries by unanimous vote.

Motion to recommend approval of a text amendment amending various sections of Chapter 157 of the Village of East Dundee Village Code regarding building on lots by Holliman/ Apke.

7 Ayes (Schock, Scarpelli, Holliman, Muscat, Bernstein, Steneck, and Apke). 2 Nays (Meyer and Brewer). 0 Absent. Motion carries

2. PUBLIC HEARING (855 E. Main Street) – to consider a request to rezone the following described property from B-3 Service Business District to the R-5 Multiple Dwelling District

Motion to open the Public Hearing by Muscat/Holliman. Motion carries by unanimous vote.

There was no comment or discussion from the public.

Motion to close the Public Hearing by Scarpelli/Holliman. Motion carries by unanimous vote.

Commissioner Meyer stated that the Commission needs to consider why this property was zoned as a B-3 originally. He feels the location is pretty dense for this project. Commissioner Scarpelli stated that the Village Green and Gardiner Place apartment buildings are much more dense than this proposed

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Kane County, IL
Planning and Zoning Commission
May 7, 2020

development. Commission Apke asked if the two parcels will be joined together. Mr. Curtis stated that they will remain separate parcels but will have cross access between the two.

Motion to recommend approval of a Request to Rezone 855 E. Main Street from B-3 Service Business District to the R-5 Multiple Dwelling District by Scarpelli/Muscat.

9 Ayes (Schock, Scarpelli, Holliman, Muscat, Meyer, Bernstein, Steneck, Apke and Brewer). 0 Nays. 0 Absent. Motion carries.

Motion to approve a Findings of Fact to recommend approval of a Request to Rezone 855 E. Main Street from B-3 Service Business District to the R-5 Multiple Dwelling District by Scarpelli/Muscat.

9 Ayes (Schock, Scarpelli, Holliman, Muscat, Meyer, Bernstein, Steneck, Apke and Brewer). 0 Nays. 0 Absent. Motion carries.

- 3. PUBLIC HEARING (855 E. Main Street)** – to consider a request for a variance from Section 157.036(A)(1) of the Zoning Chapter of the East Dundee Village Code requiring that the lot size be a minimum of 3.39 acres.
- 4. PUBLIC HEARING (855 E. Main Street)** – to consider a request for a variance from Section 157.036(A)(4) of the Zoning Chapter of the East Dundee Village Code requiring the maximum floor area ratio (FAR) is not to exceed 0.4.
- 5. PUBLIC HEARING (855 E. Main Street)** – to consider a request for a variance from Section 157.036(A)(5) of the Zoning Chapter of the East Dundee Village Code requiring that the maximum building height is not to exceed two and one-half stories or 30 feet, whichever is lower.

Motion to open the Public Hearings for variance requests by Holliman/Bernstein. Motion carries by unanimous vote.

There was no comment or discussion from the public.

Motion to close the Public Hearing by Holliman/Bernstein. Motion carries by unanimous vote.

Commissioner Scarpelli stated that he would like that it be noted in the variance that the development site has benefitted offsite detention capacity.

Motion to recommend approvals of variances from Section 157.036(A)(1) of the Zoning Chapter of the East Dundee Village Code requiring that the lot size be a minimum of 3.39 acres and the site has the ability to an offsite detention basin that has an acreage of 1.08 acres, from Section 157.036(A)(4) of the Zoning Chapter of the East Dundee Village Code requiring the maximum floor area ratio (FAR) is not to exceed 0.4. and from Section 157.036(A)(5) of the Zoning Chapter of the East Dundee Village Code requiring that the maximum building height is not to exceed two and one-half stories or 30 feet, whichever is lower by Scarpelli/Steneck.

9 Ayes (Schock, Scarpelli, Holliman, Muscat, Meyer, Bernstein, Steneck, Apke and Brewer). 0 Nays. 0 Absent. Motion carries

Motion to approve the Findings of Fact recommending approval to rezone 855 E. Main Street from B-3 Service Business District to the R-5 Multiple Dwelling District and Findings of Fact approval of variances from Section 157.036(A)(1) of the Zoning Chapter of the East Dundee Village Code requiring that the lot size be a minimum of 3.39 acres and the site has the ability to an offsite detention basin that has an acreage of 1.08 acres, from Section 157.036(A)(4) of the Zoning Chapter of the East Dundee Village Code requiring the maximum floor area ratio (FAR) is not to exceed 0.4. and from Section 157.036(A)(5) of the Zoning Chapter of the East Dundee Village Code requiring that the maximum

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Kane County, IL
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building height is not to exceed two and one-half stories or 30 feet, whichever is lower by Scarpelli/Steneck.

9 Ayes (Schock, Scarpelli, Holliman, Muscat, Meyer, Bernstein, Steneck, Apke and Brewer). 0 Nays. 0 Absent. Motion carries.

Motion to add that the applicant of the variance requests is to follow the recommendations noted in the memo by Gerald L. Heinze and Associates dated March 18, 2020 and addressed to Assistant Administrator Brad Mitchell and Building Inspector Chris Ranieri by Scarpelli/Muscat.

9 Ayes (Schock, Scarpelli, Holliman, Muscat, Meyer, Bernstein, Steneck, Apke and Brewer). 0 Nays. 0 Absent. Motion carries.

HISTORIC COMMISSION: None

Motion to adjourn the Planning and Zoning Commission Meeting at 7:40 p.m. by Holliman/Bernstein. Motion carries by unanimous vote. Meeting adjourns.

Village of East Dundee Memorandum

To: Planning and Zoning Commission (Historic District Commission)
CC: Jennifer Johnsen, Village Administrator
From: Brad Mitchell, Assistant Village Administrator
Chris Ranieri, Building Inspector
Subject: Nonno's Italian Kitchen & Cafe – Historic Certificate of Appropriateness
Date: June 4, 2020

The Village has received an application from Frank Tomasello, owner of 304 N. River Street (formerly Piece-A-Cake Bakery) for change to the exterior signage for the new Nonno's Italian Kitchen & Cafe. The awning is being downsized to the width of the door entrance with a logo on the awning with black and white lettering.

As the property is located within the Village's Historic District, the application requires review by the Planning and Zoning Commission acting as the Historic District Commission (HDC). The proposed awning sign should be reviewed according to the following applicable guidelines. Attached, please find the Certificate of Appropriateness applications, including rendering of the proposed awnings sign.

1. All signs shall be of material that was or could have been used at the time the building was erected. Substitute materials with the same appearance may be approved.
2. External florescent, neon or other bright or garish colors shall not be approved. Historic colors and earth tones are recommended.
3. Lettering shall be of a style compatible with the time the building was erected.
4. All three-dimensional signs shall be of a style used at the time the building was erected and should pertain to the type of business conducted within and shall be required to obtain HDC approval.
5. Signs may be externally illuminated only by fixtures compatible with the period in which the building was erected.
6. All signs shall be constructed or painted in a workmanlike manner and all lettering intended to be of a uniform size and style.
7. Signs of a period other than when the building was erected may be approved if of special design merit.
8. Any original sign that was used at any time on a building prior to the year 1900 or an authentic facsimile thereof may be replaced on that building subject to HDC approval.
9. Within the historic district, signs shall identify only the name of the business and the general type of goods, produces or service offered. In addition to lettering, graphics may include a trademark, symbol or other representation directly related to the use but not advertising a specific brand sold within the building. A brand name or symbol may be included, however, if the business is a franchise and/or it is the major brand sold or service offered on the premises.
10. The style, composition and appearance of all signs within the historic district shall

comply as much as possible with any further design guidelines which may be adopted by the Village for administration of the district.

Upon review by the Building Inspector, the proposed sign complies with all other sign code regulations.

Action Requested: Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for Nonno's Italian Kitchen & Cafe proposed Awning Sign.

Attachments: Certificate of Appropriateness Application and Renderings



EAST DUNDEE HISTORIC COMMISSION
CERTIFICATE OF APPROPRIATENESS

Please submit this application along with supporting documents (one [1] original and twelve [12] copies). Your application will be reviewed by the East Dundee Historic Commission. You are strongly urged to attend this meeting in person. If you would like assistance with the preparation of this application, or if you have any questions concerning your request or the review procedure, call the village office at 847-426-2822.

MUST BE SUBMITTED A MINIMUM OF 8 DAYS PRIOR TO MEETING. THE HISTORIC COMMISSION MEETS ON THE SECOND MONDAY OF EVERY MONTH IMMEDIATELY FOLLOWING THE PLANNING/ZONING MEETING.

ADDRESS OF PROPOSED WORK 304 N. River East Dundee
APPLICANTS NAME Frank Tomasello
TELEPHONE NUMBER (Home) ⁽⁸⁴⁷⁾ 309-3246 (Work) _____
PROPERTY OWNERS NAME Frank Tomasello PHONE # (847) 309-3246

Nature of proposed change: (check all that apply)

- ☐ New Construction ☒ Extensive renovation ☐ Minor Renovation, Repair or Alteration
☒ Sign ☐ Demolition ☐ Facade
☐ Other _____

*Sign: Must include the lettering style and size.

Describe all changes proposed for the structures exterior. Include plans, photographs and any other information as needed. Give size, style, and precise location of lettering, if any; and any other information that will assist the commission in their deliberations. Use attachments as necessary. Include a date when the project will be completed.

Down Side The Awning To The Width
Of The Door Entrance, With Logo On
The Awning Black With White Lettering

Circle one or more of the East Dundee Historic Code Provisions that apply.

- ☒ A. The historic or architectural value and significance of the district and the surrounding area will not be lessened.
☐ B. The relationship of any architectural features of the building and the surrounding area will be positively affected.
☐ C. The general design, arrangement, and materials proposed to be used will be maintained.

I, the undersigned, hereby state that all of the information presented in this application is true and complete, to the best of my knowledge.

Signature: Frank Tomasello

Date: _____

HISTORIC COMMISSION USE ONLY

This application has been (Approved / Denied)

FILTERS



VIVID WARM



Cancel



Done

**Village of East Dundee
Memorandum**

To: Planning and Zoning Commission
CC: Jennifer Johnsen, Village Administrator
From: Brad Mitchell, Assistant Village Administrator
Chris Ranieri, Building Inspector
Joseph D. Heinz, P.E.
Subject: 509 Maxwelton
Date: June 4, 2020

PROJECT SUMMARY

The Village has received a variance application request from Mike Montague & Patience Eckler of 509 Maxwelton to build an accessory building (storage shed) on the back left portion of their property. The proposed building request includes a driveway access to the building off of Kenilworth. The Petitioners are requesting variances to the setback requirements to build on the only flat area of the property with the least amount of trees, with the Petitioner's preference to save as many good trees as possible.

VARIANCE REQUEST (PETITIONER)

- 1. Variance from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E- Estate District to be not less than 35 feet in depth.***

The request is for the front yard setback to be 20 feet in depth instead of the required 35 feet in depth.

In order to consider the variances, the Planning and Zoning Commission should consider the following standards. The Village's response is on the attached draft Findings of Fact. The attached application includes the petitioner's response to these standards.

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.
2. The plight of the owner is due to unique circumstances.
3. The variation, if granted, will not alter the essential character of the locality.
4. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced.
5. The conditions upon which the petition for variation is based would not be applicable generally to other properly within the same zoning classification.
6. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

7. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
8. 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.
9. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

The Commission may require such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards set forth in the Village Code or reduce or minimize the injurious effect of the variation upon other property in the neighborhood.

Village Staff Recommendation: Approval of the requested variance to allow for an accessory structure at 509 Maxwellton.

Action Requested: Discussion and motion to recommend approval/denial of a variance from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E- Estate District to be not less than 35 feet in depth.

Discussion and motion to approve a Findings of Fact to recommend approval/denial of a request for a variance from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E- Estate District to be not less than 35 feet in depth.

Attachments:

1. Variance Application
2. Building Plans
3. Photos
4. Public Notice
5. Findings of Fact

VILLAGE OF EAST DUNDEE



**APPLICATION FOR DEVELOPMENT APPROVAL:
SPECIAL USE, REZONING AND VARIANCE REVIEW AND APPROVAL**

This form is to be used for all special use applications (except Planned Developments) to be heard by the Village of East Dundee. To complete the form properly, please review the accompanying *Village of East Dundee Instruction Manual for Application for Development Review*. Failure to complete this form properly will delay its consideration.

PART I. GENERAL INFORMATION**A. Project Information**

1. Project/Owner Name: MIKE MONTAGUE/PATIENCE ECKLER
2. Project Location: 509 MAXWELTON RD
3. Brief Project Description: STORAGE SITED ON THE BACK LEFT
PORTION OF THE PROPERTY
4. Project Property Legal Description: SINGLE FAMILY RESIDENTIAL
5. Project Property Size in Acres and Square Feet: 2.5 ACRES
6. Current Zoning Status: RESIDENTIAL ESTATE
7. Current Use Status: RESIDENTIAL
8. Surrounding Land Use Zoning: E
9. Zoning District Being Requested (if applicable): _____
10. Parcel Index Numbers of Property: 03-23-128-020

B. Owner Information

1. Signature: [Signature]
2. Name: MIKE MONTAGUE/PATIENCE ECKLER
3. Address: 509 MAXWELTON RD
4. Phone Number: _____ Fax: _____ Email: MIKE.MONTAGUE@SBCGLOBAL.NET

C. Billing Information (Name and address all bills should be sent to)

1. Name/Company: MIKE MONTAGUE
2. Address: 509 MAXWELTON RD
3. Phone Number: 317-766-6441 Fax: _____ Email: MIKE.MONTAGUE@SBCGLOBAL.NET

IF YOU ARE APPLYING FOR A VARIANCE COMPLETE THE FOLLOWING:

1. From which specific standard of the Village Code is a Variance requested (include Code section number)?

THE SETBACK 157.031 (A)(6)

2. For this site, what does the Code require?

35' FROM PROPERTY LINE
OUR PROPERTY LINE IS 34' FROM THE ROAD ON
THE SIDE AND 31' FROM THE BACK

3. What is proposed?

WE WOULD LIKE TO ASK FOR 20' ON THE SIDE
INSTEAD OF THE REQUIRED 35' AND 30' INSTEAD
OF 35' FROM THE BACK

4. What unique circumstances have caused the need for a variance?

OUR PROPERTY HAS A HIGH VOLUME OF MATURE
TREES. WE WOULD LIKE TO SAVE AS MANY (GOOD)
TREES AS POSSIBLE

BUCKTHORN AND BOX ELDER ARE NOT "GOOD"
TREES IN OUR OPINION

5. What specific mitigation measures will be used to ensure that the essential character of the area will not be altered? (Suitability of Present Area)

THE ADJUSTED VARIANCE WILL HELP SAVE THE
TREES AS WELL AS KEEP THE LOOK OF OUR
STORAGE BUILDING. WE ARE TRYING TO MAKE
IT A NATURAL FIT
OUR GOAL; STORAGE FOR OUR TOOLS AND TOYS WITH
MINIMAL DISRUPTION TO THE PROPERTY

6. Specifically, how do the particular physical surroundings, shape, or topographical condition of the property result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations are carried out?

THE AREA WE ARE LOOKING TO BUILD ON IS ONE OF THE ONLY FLAT AREAS AND HAS THE LEAST AMOUNT OF TREES (OAK, HICKORY, CHERRY AND WALNUT)

7. Specifically, what conditions are present on the property that would not be applicable generally to other property within the same zoning classification? (Suitability of Zoning)

THE SIZE AND AGE OF THE TREES.

8. Other than financial return, what other purposes is the variance request based on?

THERE ARE 4 EVERGREEN TREES THAT ARE OLDER THAN ALL OF US, WE WOULD LIKE TO KEEP THEM. THEY ARE APPROXIMATELY 10' TALL AND ADD CHARACTER TO THE AREA

9. Has the alleged difficulty been created by any person presently having an interest in the property?

NO

10. Please give an explanation for any questions answered YES.

- | | | |
|--|-----|-------------------------------------|
| a. Will the granting of the variation be detrimental to the public welfare? (Circle) | YES | <input checked="" type="radio"/> NO |
| b. Injurious to surround properties? (Circle) | YES | <input checked="" type="radio"/> NO |
| c. Impair an adequate supply of light and air to adjacent property? (Circle) | YES | <input checked="" type="radio"/> NO |
| d. Endanger public health and safety? (Circle) | YES | <input checked="" type="radio"/> NO |
| e. Substantially diminish property values within the neighborhood? (Circle) | YES | <input checked="" type="radio"/> NO |
| f. Conformance to the Land Use Plan? (Circle) | YES | <input checked="" type="radio"/> NO |

VILLAGE OF EAST DUNDEE



APPLICATION AGREEMENT
TO PAY COSTS INCURRED AND HOLD THE VILLAGE HARMLESS

The Undersigned applicant acknowledges that the Village of East Dundee may seek advice and counsel from professional sources outside the employee staff of the Village of East Dundee in consideration of the application submitted to the Village of East Dundee by the applicant, including the services as those provided by the Village Staff, Village Attorney, Village Engineer, Planner and Fire Protection District.

The applicant further acknowledges that testimony of all witness at Public Hearings may be recorded before a court reporter and that full transcripts of the proceedings may be prepared and retained by the Village of East Dundee as part of the official record concerning the said applicant and the applicant's costs.

As an express condition in making the said application and the consideration thereof by the Village of East Dundee, the undersigned, both personally and on behalf of the applicant, agrees to hold the Village harmless and agrees to pay forthwith the costs and expenses that may be incurred by the Village of East Dundee for such professional services, including the costs and expenses of recording and transcribing any testimony at Public Hearings in connection with the said application.

The owner hereby authorizes, support and consents to this request for variation, and further authorizes, agrees and consents to allow the temporary installation and display by the Village of East Dundee of Public Notice (signage) upon the subject property.

The applicant, having read this application and fully understanding the purpose thereof, declares that the proceeding statement made are true and that the information provided herein is complete to the best of the applicant's knowledge and belief.

<u>Mike Montague</u>	<u>4-25-20</u>
Individually and for the Applicant	Date
<u>509 MAXWELTON RD</u>	<u>217-766-6441</u>
Address	Phone Number

Project Description: STORAGE STED ADDITION

VILLAGE OF EAST DUNDEE



Affidavit & Disclosure Agreement

To cover the Village expenses relating to applications for site plans, Subdivisions, Annexations, Zoning Amendments, Special Uses, Variations and the like:

Applications shall deposit the sum required based on the type and extent of the applicants project. Any bills received by the village and any costs incurred by the Village related to the project will be billed to the applicant. Upon payment of all bills to the Village the applicant will receive their deposit back.

Signature: _____

Print Name: _____

Project Address: _____

VILLAGE OF EAST DUNDEE



Affidavit of Ownership & Control

I (We), Mike Montague Patricia Eckler do hereby certify or affirm that I am the owner(s), contract purchasers, or beneficiary(s) of the title holding trust for the aforesaid described property and hereby make application of such.

Signature: [Handwritten Signature]

Owner: Mike Montague Patricia Eckler

Address: 509 MAXWELTON RD
EAST DUNDEE, IL 60118

Phone: 317-766-6441

SUBSCRIBED AND SWORN TO before me this
_____ day of _____, _____.

(NOTARY SIGNATURE)

(NOTARY STAMP)

Property Legal Description:

Estates 1, 2, 3, 4, 5, 6, 13, 14, 15 and 16 in Block 3 of Lakewood Lodge Estates, in the Village of East Dundee, Kane County, Illinois.

VENUE

W 249.27'

FOUND IRON
PIPE 70.0'

(66.0' RIGHT OF WAY)

LOT 1

LOT 2

LOT 3

120.0'

20'

60'

30'

ACCESSORY BUILDING

COVERED ENTRY

FOUND CONC
MONUMENT

DRIVEWAY

40.0'

Tree

Tree

Tree

Tree

60.0'

60.0'

60.0'

60.0'

LH = N 45°15'22" E 11'

(66.0' RIGHT OF

292.17' REC. (S 88°26'56"

Map	Aerial	Hybrid
-----	--------	--------

509 MAXWELTON R X Q

**PROPOSED 60 X 30
ACCESSORY BUILDING**

Ashland Ave

Kenilworth Ave

Greenwood Ave

Maxwelton Rd

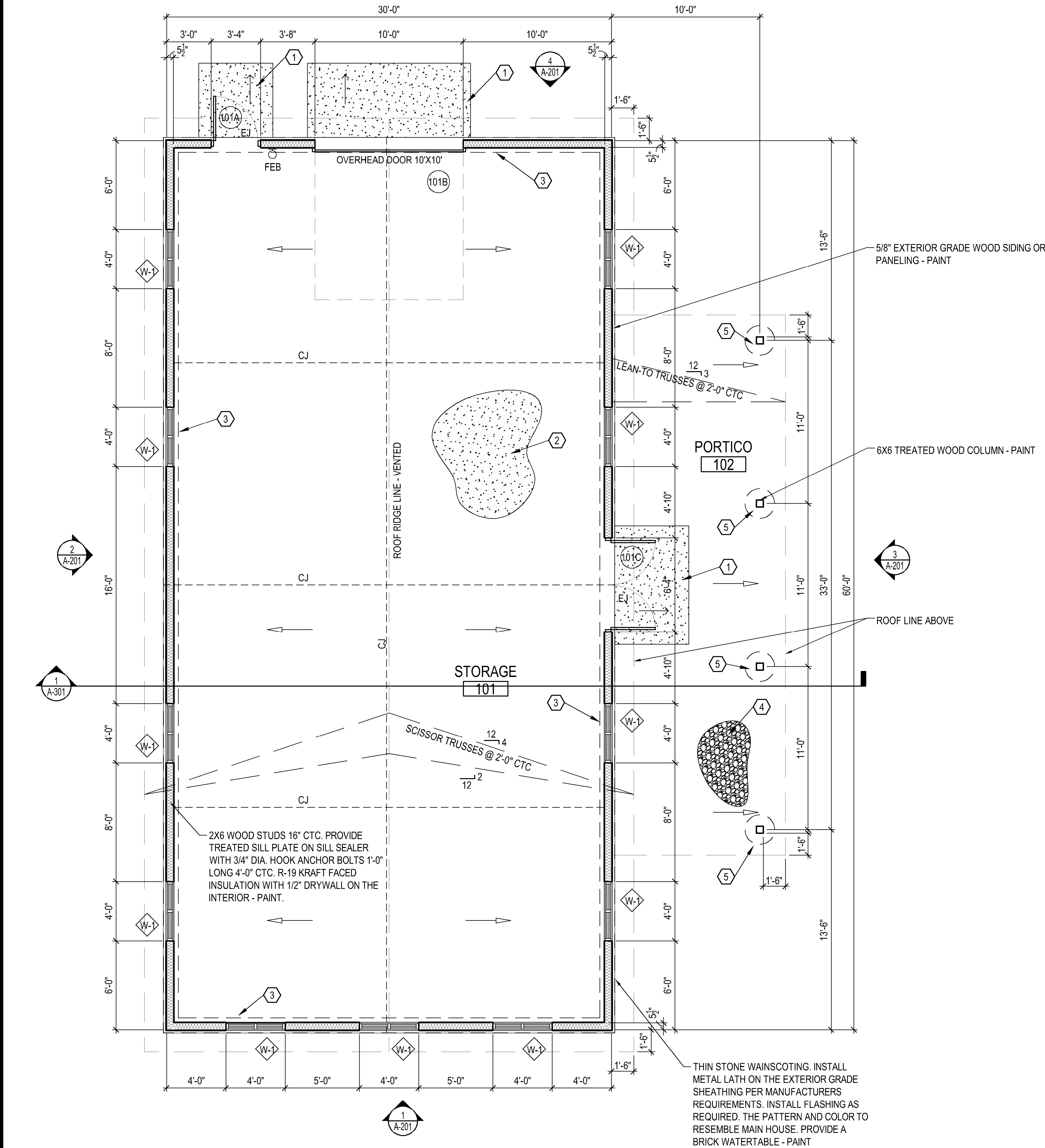
Maxwelton Rd

County Layers Disclaimer

These layers do not represent a survey. No Accuracy is assumed for the data delineated herein, either expressed or implied by Kane County or its employees. These layers are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contains information required for local government purposes. See the recorded documents for more detailed legal information.

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extent: xmin:-9826281.99 xmax: -9825720.06 ymin:5177235.21 ymax: 5177500.95



1 FLOORPLAN
1/4"=1'-0"

GENERAL NOTES

1. INFORMATION INDICATED FOR NEW CONSTRUCTION ON THE PLANS, SECTIONS, AND IN THE DETAILS ARE INTENDED TO BE TYPICAL AND SHALL BE CONSTRUED TO APPLY TO SIMILAR CONDITIONS ELSEWHERE. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS. THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE IMMEDIATELY OF ANY DISCREPANCIES BETWEEN CONSTRUCTION DOCUMENTS AND ACTUAL FIELD CONDITIONS.
2. ALL DIMENSIONS ARE TO THE FACE OF STUD. COLUMNS ARE DIMENSIONED TO THE FACE AND CENTER.
3. ALL MATERIALS ARE TO BE STOCK ITEMS FROM MANUFACTURER'S CATALOG. G.C. TO REVIEW ALL MATERIALS WITH OWNERS REPRESENTATIVE FOR APPROVAL, SPECIFICALLY FOR COLOR APPROVAL.
4. ALL WALL FRAMING, COLUMNS, AND ROOF FRAMING TO BE SIGNED OFF BY A PROFESSIONAL ENGINEER PER THE AUTHORITY HAVE JURISDICTION (A.H.J.) REQUIREMENTS.
5. ROOF STRUCTURE TO BE SCISSOR WOOD TRUSSES 2'-0" CTC WITH SIDED GABLES ON BOTH ENDS. 4:12 SLOPE ON THE ROOF AND 2:12 SLOPE ON THE INTERIOR. THE PORTICO ROOF TO BE A LEAN TO SHED ROOF WITH WOOD TRUSSES 2'-0" CTC WITH SIDED GABLES ON BOTH ENDS. ROOF SLOPE TO BE 3:12.
6. ROOF TO BE LIMITED LIFETIME WARRANTY ARCHITECTURAL SHINGLES ON 5/8" OSB CLIPPED AND STAGGERED PLACEMENT. INSTALL SHINGLE STARTER AND DRIP EDGE. PROVIDE #30 ROOF FELT ON ENTIRE ROOF AND 3'-0" OF ICE AND WATER BARRIER ROOFING UNDERLAYMENT ALONG ALL EDGES.
7. THE ROOF OVERHANG EXTENDS TO 1'-6" FROM THE FACE OF THE STUD WITH A PREFINISHED METAL WRAPPED 2X6 FASCIA. PROVIDE A VENTED SOFFIT AND TRIM PIECES AS REQUIRED. INSTALL AIR BAFFLES EVERY OTHER TRUSS ALONG WITH A SHINGLE OVER RIDGE VENT.
8. PREFINISHED METAL GUTTERS AND DOWNSPOUTS ARE OPTIONAL.
9. INSTALL R-30 BATT INSULATION IN THE ATTIC. 1/2" DRYWALL TO BE INSTALLED ON THE BOTTOM OF TRUSSES - PAINT.
10. INSTALL PREFINISHED SOFFIT MATERIAL ON THE BOTTOM OF THE PORTICO ROOF FRAMING SIMILAR TO EAVE SOFFIT MATERIAL.
11. PLUMBING, MECHANICAL, OR COMMUNICATIONS ARE NOT WITHIN THE SCOPE OF WORK. PROVIDE AN ELECTRICAL METER, PANEL, AND ELECTRICAL DISTRIBUTION ALONG WITH SWITCHING FOR THE CONVENIENCE OUTLETS, LIGHTING, AND HVL FANS. INSTALL PER CURRENT CODES RECOGNIZED BY THE A.H.J.

KEYED NOTES

- 1 5" CONCRETE STOOP (OR APRON). PROVIDE 6X6 X W1.4 X W1.4 WWF REINFORCEMENT AND DOWEL INTO SLAB WITH #4 REBAR 1'-4" LONG WITH 8" EMBEDMENT ON 1'-6" CTC. PROVIDE 1/2" EXPANSION JOINT BETWEEN SLAB AND STOOP. SLOPE STOOP AWAY FROM BUILDING A MIN 1/4" PER FOOT.
- 2 6" CONCRETE SLAB ON 10 MIL VAPOR BARRIER OVER 6" COMPACTED GRAVEL. PROVIDE 6X6 X W2.1 X W2.1 WWF REINFORCEMENT AND SAW CUT THE CONTROL JOINTS 1/3 THE DEPTH OF THE SLAB NO LESS THAN 24 HOURS AFTER BEING POURED.
- 3 12" WIDE X 4'-0" CONCRETE GRADE BEAM CONT. PROVIDE REINFORCEMENT. PROVIDE CONTINUOUS 2" RIGID POLYSTYRENE INSULATION ON THE INTERIOR OF GRADE BEAM ENTIRE DEPTH AND MINIMUM 4'-0" UNDER SLAB.
- 4 4" PEBBLE GRAVEL ON 2 LAYERS OF LANDSCAPE FABRIC UNDER THE PORTICO. EDGING TO RETAIN GRAVEL IS OPTIONAL.
- 5 1'-6" DIA X 4'-0" DEEP CONCRETE FOOTING FOR WOOD COLUMN. PROVIDE REINFORCEMENT AND EMBEDDED COLUMN BASE PLATE.

LEGEND

- NEW WALLS, DOORS, AND WINDOWS
- KEYED NOTES
- 101A DOOR SYMBOL
- W-1 WINDOW SYMBOL
- CJ CONTROL JOINT - SAW CUT THE CONCRETE 1/3 THE DEPTH OF THE SLAB NO LESS THAN 24 HOURS AFTER BEING POURED
- EJ EXPANSION JOINT - 1/2" FULL DEEP EXPANSION JOINT. PROVIDE SEALANT AT THE TOP.
- SLAB SLOPE DIRECTION - DOWN
- ROOF SLOPE - DOWN
- 12 X ROOF SLOPE
- Q FIRE EXTINGUISHER BRACKET (FEB)

CONSTRUCTION DRAWINGS

ECKLER STORAGE SHED

509 MAXWELTON ROAD
EAST DUNDEE, IL 60118

ANZ HOMES

46 harvey farm drive
217.652.6333

benson, nc 27504

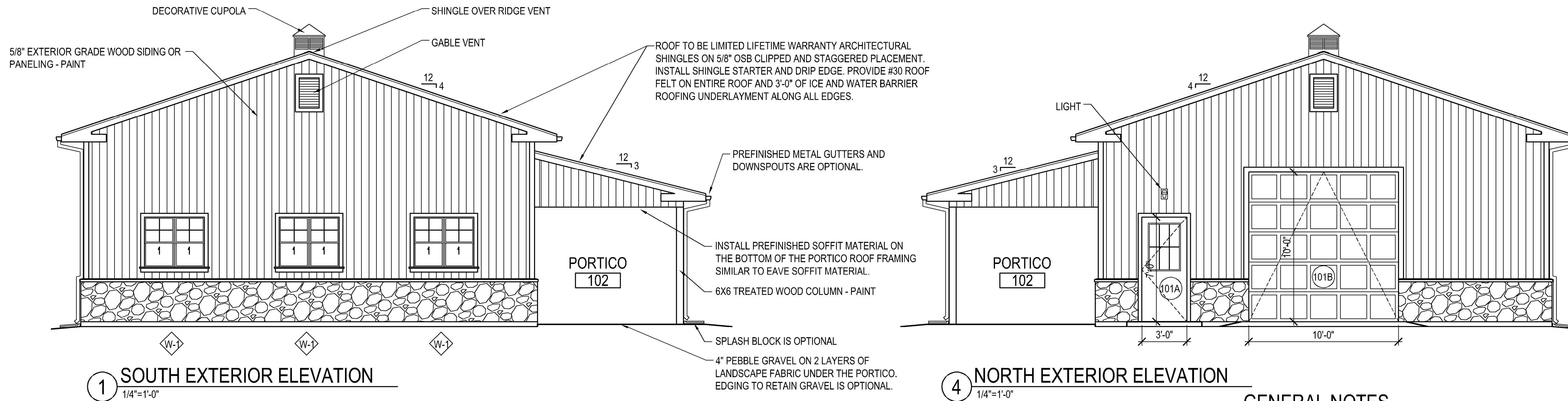
Issue Date 05 DEC 2019 Project Number 2019-008

Drawing Title

FLOOR PLAN

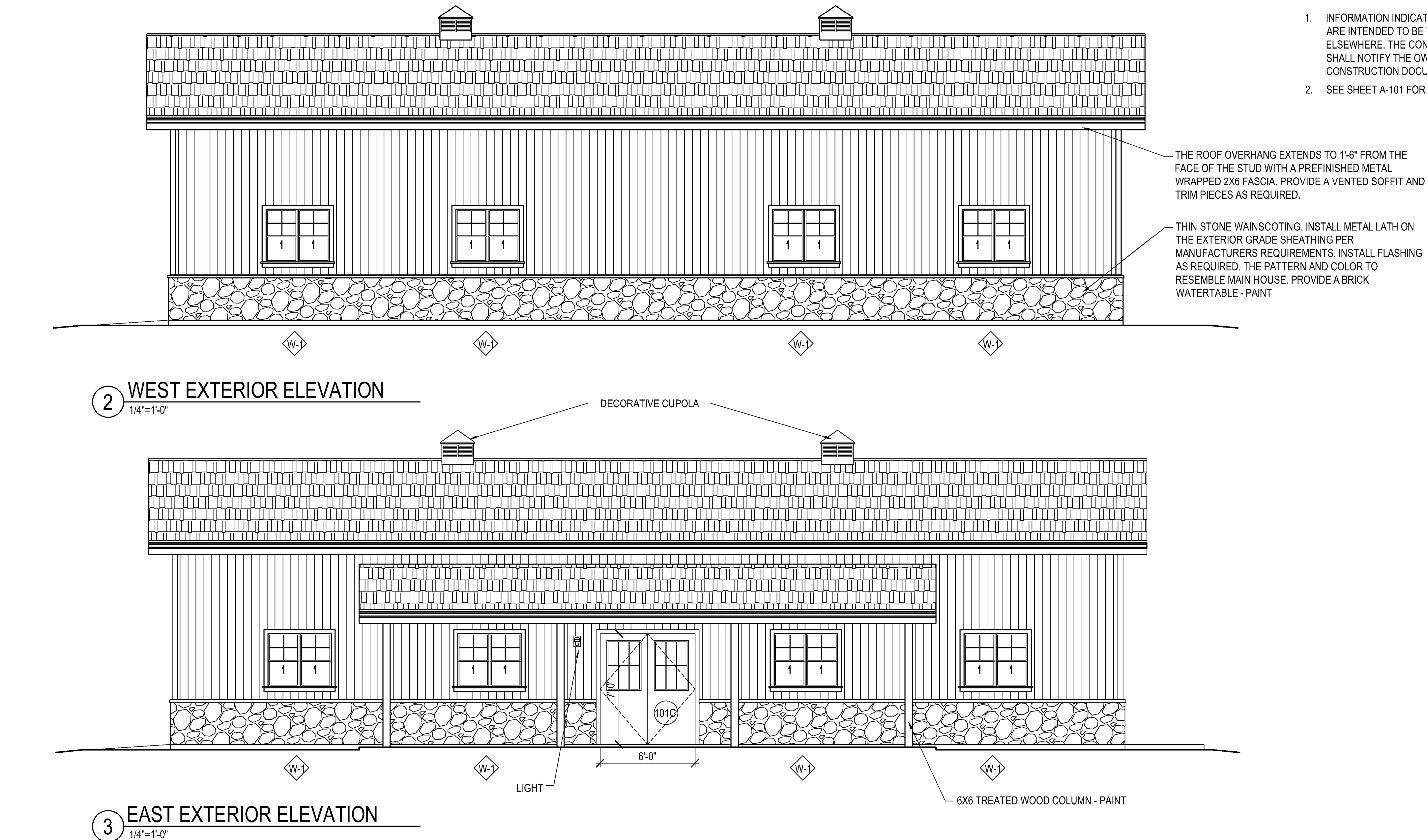
Drawing Number

A-101



GENERAL NOTES

1. INFORMATION INDICATED FOR NEW CONSTRUCTION ON THE PLANS, SECTIONS, AND IN THE DETAILS ARE INTENDED TO BE TYPICAL AND SHALL BE CONSTRUED TO APPLY TO SIMILAR CONDITIONS ELSEWHERE. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS. THE CONTRACTOR SHALL NOTIFY THE OWNER'S REPRESENTATIVE IMMEDIATELY OF ANY DISCREPANCIES BETWEEN CONSTRUCTION DOCUMENTS AND ACTUAL FIELD CONDITIONS.
2. SEE SHEET A-101 FOR OTHER GENERAL NOTES.



0 2' 4' 8'

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

CONSTRUCTION DRAWINGS

ECKLER STORAGE SHED

509 MAXWELTON ROAD
EAST DUNDEE, IL 60118

ANZ HOMES

46 harvey farm drive
217.652.6333

benson, nc 27504

Issue Date 05 DEC 2019 Project Number 2019-008

Drawing Title

EXTERIOR ELEVATIONS

Drawing Number

A-201















State of Illinois)
County of Kane) SS
Village of East Dundee)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning and Zoning Commission of the Village of East Dundee will hold a public hearing on June 4, 2020 at 7:00 P.M. via teleconference call by authorization of Gov. Pritzker waiving a portion of the Illinois Open Meetings act to allow local governments to hold "remote" meetings to help control the spread of COVID-19

1. A request for a variance from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E – Estate District to be not less than 35 feet in depth.
2. A request for a variance from Section 157.031(A)(6)(c) of the Zoning Chapter of the East Dundee Village Code requiring the rear yard in the E – Estate District to be not less than 40 feet in depth.

Property Legal Description:

ESTATES 1, 2, 3, 4, 5, 6, 13, 14, 15 AND 16 IN BLOCK 3 OF LAKEWOOD LODGE
ESTATES, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PINS: 03-23-128-020

All interested persons will be given an opportunity to be heard.

VILLAGE OF EAST DUNDEE, ILLINOIS

Findings of Fact – Variance

Property Location: 509 Maxwellton

Variance(s) requested: Variance from Section 157.031(A)(6)(a) of the Zoning Chapter of the East Dundee Village Code requiring the front yard setback in the E-Estate District to be not less than 35 feet in depth.

Hearing date: June 4, 2020

The Planning and Zoning Commission has made the following findings regarding the variation request:

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district; Circle one; Yes/No/Not Applicable(N.A.), Explain:**

Without the variances, the property would not allow for the accessory structure due to the elevations on other parts of the property.

- 2. The plight of the owner is due to unique circumstances; Yes/No/N.A. and**

This is the only flat area of the property.

- 3. The variation, if granted, will not alter the essential character of the locality. Yes/No/N.A.**

The building of the accessory building would require the removal of some trees.

For the purpose of supplementing the above standards, the Planning and Zoning Commission, in making its decision whenever they are practical difficulties or particular hardship, shall also take into consideration the extent to which the following facts favorable to the applicant, have been established by the evidence that:

- 1. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced; Yes/No/N.A.**

If the regulations are strictly enforced, the accessory building could not be built due to the elevations of other locations on the property.

- 2. The conditions upon which the petition for variation is based would be applicable generally to other property within the same zoning classification; Yes/No/N.A.**

Should these conditions reoccur on a development with the same zoning classification, the basis for the variation would be applicable.

- 3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property; Yes/No/N.A.**

The purpose of the variation request is not to make more money out of property.

- 4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property; Yes/No/N.A.**

The property owners are requesting the variances for an accessory building for their use.

- 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; Yes/No/N.A.**

The granting of the variances would not be detrimental or injurious to the surrounding properties.

- 6. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood. Yes/No/N.A.**

The proposed variation would not have any of the above negative effects.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested variation(s) resulting in the following vote:

____ayes ____nays ____absent____abstain

Date: _____
Planning and Zoning Commission Chairman

Village of East Dundee Memorandum

To: Planning and Zoning Commission
CC: Jennifer Johnsen, Village Administrator
From: Brad Mitchell, Assistant Village Administrator
Chris Ranieri, Building Inspector
Joseph D. Heinz, P.E.
Subject: Altorfer CAT Development Project
Date: June 4, 2020

PROJECT SUMMARY

The Village has been working with Altorfer CAT regarding the acquisition and development of approximately 23 acres of property owned by Plote that is currently unincorporated. The property is located on the south side of the Route 72 and Christina Drive intersection. The proposed development includes the sale and repair of Caterpillar equipment. Altorfer CAT is in need of vacating their current Elmhurst location and is moving portions of that operation to four different locations, of which East Dundee is one of those locations.



REZONING REQUEST (PETITIONER)

- 1. Rezone the property from the R-1- Single Family District to the M-1- Limited Manufacturing District.***

The property in question is expected to be annexed into the Village at the June 1, 2020 Village Board meeting as R1 – Single Family District. It should be noted that rezoning applies to the 38 acre property. See the attached Plat of Annexation.

Per Village Code Section 157.223 and existing case law, for all map amendments, the Planning and Zoning Commission must consider the following factors. For each of these factors, the Village's response has been provided in italics.

1. Existing uses of property within the general area of the property in question.

Village Response: Uses within the general area include manufacturing, retail, restaurant, amusement, automotive, and residential.

2. The zoning classification of property within the general area of the property in question.

Village Response: All incorporated adjacent property is zoned M1 – Limited Manufacturing, B3 – Service Business District, and B4 – Automotive Service Business District.

3. The suitability of the property in question to the uses permitted under the existing zoning classification.

Village Response: The property is designed for uses permitted within the M1 – Limited Manufacturing District.

4. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.

Village Response: If the property stayed R1 – Single Family District, there is not demand for development.

5. The extent to which property values are diminished by the particular zoning restrictions.

Village Response: If the property stayed R1 – Single Family District, there is not demand for development.

6. The extent to which the destruction of property values of promotes the health, safety, morals, and general welfare of the public.

Village Response: N/A

7. The relative gain to the public as compared to the hardship imposed upon the individual property owner.

Village Response: The public will gain an increase in the property tax base and sales tax revenue for the Village.

8. The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property

Village Response: The property has always been unincorporated and vacant.

9. The community need for the proposed use.

Village Response: The Village's Comprehensive Plan acknowledges future land use to be developed for general business / industrial.

10. The care with which the community has undertaken to plan its land use development.

Village Response: The Village updated its Comprehensive Plan in 2002.

VARIANCE REQUESTS (PETITIONER)

It should be noted that variances only applies to the 23 acre property to be developed by CAT. See the attached survey.

- 1. Variance from Section 155.045(G)(1) and Section 155.045(G)(4) of the Subdivision Chapter of the East Dundee Village Code requiring the maximum length of a cul-de-sac shall be 500 feet measured along the center line from the intersection at origin through center of circle to end of right-of-way and requiring the use of cul-de-sac streets shall be prohibited in multi-family, business or industrial districts.***

The Christina Drive extension is proposed to terminate just south of the southerly entrance. The Developer has proposed to provide a temporary access easement to allow for vehicles to use the southerly driveway for the turnaround maneuver. A variance would be required to allow for terminating Christina Drive and not connecting the roadway to Piemonte Drive. The entrance gate to the property will be located in the property to allow for a more than adequate area to allow for a three point turn around should any vehicle mistakenly entering the area.

- 2. Variance from Section 155.054 and Section 155.096(A)(1)(c) of the Subdivision Chapter of the East Dundee Village Code requiring the sanitary sewer to be extended through the development parcel.***

The Developer has requested relief on extending approximately 1120 LF of 10" sanitary sewer line along the frontage of Route 72 extending past Christina Drive for future development. Instead, the Developer has proposed to grant an easement and install a casing pipe under Christina Drive for the future sanitary sewer extension.

- 3. Variance from Section 157.065(A)(2)(e)(3) of the Zoning Chapter of the East Dundee Village Code requiring areas utilized for accessory commercial operations yards be provided with a permanent durable and dustless surface.***

Storage yards are required to be paved with a permanent durable and dustless surface. The developer proposes a portion of the storage yard to be finished as a crushed aggregate surface.

4. Variance from Section 157.065(A)(2)(e)(4) of the Zoning Chapter of the East Dundee Village Code requiring storage yards to be completely enclosed and screened with a solid wall or fence of not more than 12 feet in height and/or a berm or evergreen plants of any height.

Storage yards are required to be completely enclosed and screened with a solid wall or fence. Chain link fencing with inserted screening slats are not allowed to be used to comply with the screening provisions. The linear feet required to encase the 23 acres with a solid structure would be unreasonably expensive. The Developer agrees to install high grade ornamental fencing at the North facing Rt. 72. The Developer proposes to install black vinyl chain link fence with privacy slats at the East and South borders. Last, the Developer proposes black vinyl chain link fence to the West behind the old Walmart.

In order to consider the variances, the Planning and Zoning Commission should consider the following standards. The Village's response is on the attached draft Findings of Fact. The attached application includes the petitioner's response to these standards.

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.
2. The plight of the owner is due to unique circumstances.
3. The variation, if granted, will not alter the essential character of the locality.
4. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced.
5. The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification.
6. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
7. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
8. 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.
9. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

The Commission may require such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards set forth in the Village Code or reduce or minimize the injurious effect of the variation upon other property in the neighborhood. Below are outlined recommended conditions:

1. Variances apply only if constructed as shown on the attached site plan and with the materials submitted and as described in the Development Agreement Ordinance.
2. The developer is not in breach of Development Agreement Ordinance.

Village Staff Recommendation:	Approval of the requested rezoning and variances to allow for the Altorfer CAT development project.
Action Requested:	<p>Discussion and motion to recommend approval/denial of a request to rezone the following described property from R-1- Residential District to the M-1- Limited Manufacturing District.</p> <p>Discussion and motion to approve a Findings of Fact to recommend approval/denial of a request to rezone the following described property from R-1- Residential District to the M-1- Limited Manufacturing District.</p> <p>Discussion and motion to recommend approval/denial of a variance from Section 155.045(G)(1) and Section 155.045(G)(4) of the Subdivision Chapter of the East Dundee Village Code requiring the maximum length of a cul-de-sac shall be 500 feet measured along the center line from the intersection at origin through center of circle to end of right-of-way and requiring the use of cul-de-sac streets shall be prohibited in multi-family, business or industrial districts; a variance from Section 155.054 and Section 155.096(A)(1)(c) of the Subdivision Chapter of the East Dundee Village Code requiring the sanitary sewer to be extended through the development parcel; a variance from Section 157.065(A)(2)(e)(3) of the Zoning Chapter of the East Dundee Village Code requiring areas utilized for accessory commercial operations yards shall be provided with a permanent durable and dustless surface; and a variance from Section 157.065(A)(2)(e)(4) of the Zoning Chapter of the East Dundee Village Code requiring storage yards to be completely enclosed and screened with a solid wall or fence of not more than 12 feet in height and/or a berm or evergreen plants of any height.</p> <p>Discussion and motion to approve a Findings of Fact to recommend approval/denial of a request for a variance from Section 155.045(G)(1) and Section 155.045(G)(4) of the Subdivision Chapter of the East Dundee Village Code requiring the maximum length of a cul-de-sac shall be 500 feet measured along the center line from the intersection at origin through center of circle to end of right-of-way and requiring the use of cul-de-sac streets shall be prohibited in multi-family, business or industrial districts; a variance from Section 155.054 and Section 155.096(A)(1)(c) of the Subdivision Chapter of the East Dundee Village Code requiring the sanitary sewer to be extended through the development parcel; a variance from Section 157.065(A)(2)(e)(3) of the Zoning Chapter of the East</p>

Dundee Village Code requiring areas utilized for accessory commercial operations yards shall be provided with a permanent durable and dustless surface; and a variance from Section 157.065(A)(2)(e)(4) of the Zoning Chapter of the East Dundee Village Code requiring storage yards to be completely enclosed and screened with a solid wall or fence of not more than 12 feet in height and/or a berm or evergreen plants of any height.

Attachments:

1. Rezoning and Variance Request
2. Plat of Annexation
3. ALTA / NSPS Land Title Survey (CAT Development)
4. Photos
5. Public Notice
6. Findings of Fact

May 21, 2020

Jennifer Johnsen
Village Administrator
Village of East Dundee
120 Barrington ave
East Dundee, IL 60018

Regarding: Altorfer Cat amended Variance Request

Dear Jennifer:

Per our group discussion yesterday I have revised the Variance request for the Altorfer Cat project. Item #2 has been amended as discussed and item #9 has been added.

VARIANCES REQUESTED

1. Request relief for the cul-de-sac requirement on the proposed end to Christina Drive. Altorfer proposes to engineer an extend Christina Drive past the proposed driveway. The entrance gate to the property will be located in the property to allow for a more than adequate area to allow for a three point turn around should any vehicle mistakenly entering the area.
2. Request relief to the solid fence requirement surrounding the property. The linear feet required to encase the 23 acres with a solid structure would be unreasonably expensive. Altorfer agrees to install high grade solid fencing at the North facing Rt. 72. Altorfer proposes to install black vinyl chain link fence with privacy slats at the East and South borders. Last Altorfer proposes black vinyl chain link fence to the West behind the old Walmart.
3. Request relief to the landscaping height requirement to screen anything outside of the building. Some of the equipment serviced at this location will be in excess of 12' high. This requirement is not achievable.
4. Request relief to Village Ordinance requiring hard surfaces in the Storage Yard. Altorfer request a variance to allow the use of aggregate on the far south side of the property to allow temporary seasonal overflow display of Caterpillar equipment.
5. Request relief to the ordinance requiring all overhead doors be screened from sight. The overhead door heights will be 22', and not possible to conceal.
6. Request relief to the ordinance that prohibits customer or employee parking in the front of our retail building. This project is considered to have three front yard. Examples of the allowance of frontal parking are present all along Rte.72 businesses nearby.
7. Request relief to the requirement of sidewalks along Christina Drive. Christina Drive will only be a short extension off of Rte. 72, to an industrial facility with no other neighboring businesses or residents.
8. Request relief for the request of approximately 1120 LF of 10" sanitary sewer line along the frontage of Rte.72 extending past Christina Drive, to facilitate possible

NORTHERN BUILDERS, INC.

5060 River Road
Schiller Park • Illinois • 60176-1076
847/678-5060 • FAX: 847/678-7670
www.northernbuilders.com

SINCE 1927

DEVELOPMENT
CONSTRUCTION
LEASING & MANAGEMENT

- future development. This requirement is of no benefit to our project. Altorfer however, agrees to install a sleeve under the proposed Christina Drive at no cost to the Village for future installation by others.
9. Request relief for eleven parking stalls between islands in the car parking lot.

Thank You for you consideration

In closure please consider granting relief and incorporating the Variances requested in the upcoming June 4, 2020 Planning and Zoning meeting agenda.

Please fell free to contact me if you have any question.

Thank You for you consideration

Very truly yours

Kenneth L. Nyenhuis
Vice President
Northern Builders, Inc.
Office 847-678-5060
Cell 847-208-8768
Email knyenhuis@northernbuilders.com

ALTA / NSPS LAND TITLE SURVEY

OF

THAT PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF GATEWAY SUBDIVISION PER DOCUMENT NO. 1972329; THENCE NORTH 08 DEGREES 30 MINUTES 18 SECONDS EAST, ALONG THE EAST LINE OF SAID GATEWAY SUBDIVISION, 924.83 FEET THE SOUTH EAST CORNER OF LOT 2 IN SATURN RESUBDIVISION PER DOCUMENT NO. 93K7717 BEING THE POINT OF BEGINNING; THENCE NORTH 08 DEGREES 30 MINUTES 18 SECONDS EAST CONTINUING ALONG SAID EAST LINE, 1368.46 FEET TO THE SOUTHWESTERLY LINE OF PARCEL 0002 ACQUIRED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION IN CONDEMNATION CASE ED 92 0015 BY ORDER DATED APRIL 22, 1993; THENCE SOUTH 61 DEGREES 53 MINUTES 04 SECONDS EAST ALONG SAID SOUTHERLY LINE, 491.34 FEET; THENCE SOUTHEASTERLY ALONG SAID SOUTHERLY LINE BEING A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 22,704.25 FEET, AN ARC DISTANCE OF 480.76 FEET, THE CHORD OF SAID ARC HAS A LENGTH OF 480.75 FEET AND A BEARING OF SOUTH 61 DEGREES 16 MINUTES 40 SECONDS EAST; THENCE SOUTH 30 DEGREES 12 MINUTES 09 SECONDS WEST, 113.56 FEET; THENCE ALONG A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1033.00 FEET, AN ARC DISTANCE OF 384.01 FEET, THE CHORD OF SAID ARC HAS A LENGTH OF 381.80 FEET AND BEARING OF SOUTH 19 DEGREES 33 MINUTES 10 SECONDS WEST; THENCE SOUTH 08 DEGREES 54 MINUTES 12 SECONDS WEST, 562.72 FEET; THENCE NORTH 81 DEGREES 05 MINUTES 48 SECONDS WEST, 794.93 FEET TO THE POINT OF BEGINNING.

LEGEND

- Manhole
- Catch Basin
- Inlet
- Flared End Section
- Fire Hydrant
- Valve Vault
- Hand Hole
- Light Pole
- Utility Pole
- IBT Pedestal
- Traffic Signal
- Sign
- Fence
- Guy Wire

SCALE: 1" = 100'

UNSUBDIVIDED

DETAIL

Area = 1,001,882 S.F.
= 23.0000 Ac.

LOCATION MAP
NOT TO SCALE

Surveyor's notes:

- The basis of bearing shown hereon is assumed.
- Utility information shown hereon is based upon field measurements, available records. Information from field data is limited to that which is visible and can be measured. This survey does not exclude the possibility of the existence of other underground utilities and or structures. Record information is based upon data collected from both public and private sources. The completeness and/or accuracy of these records cannot be guaranteed, except for those items that can be verified by field measurement. Prior to any excavation contact J.U.L.I.E. (1-800-892-0123) for utility markings. J.U.L.I.E. Design Stage Ticket No.X2620307 was ordered for this project.
 - Comed - no reply
 - NICOR - no reply
 - COMCAST - no reply
 - ATT Distribution - no reply
 - East Dundee - no reply
 - MCI - no reply
- Based on information provided on the Flood Insurance Rate Map Community - Panel No. 170890C0159H dated August 3, 2009 produced by the Federal Emergency Management Agency (FEMA) for Kane County, Illinois, the property shown and described hereon is located within Zone X, which is defined by FEMA as "Areas determined to be outside the 0.2% annual chance floodplain."
- In regards to Table A Item 6 - A Zoning Report has not been provided.
- In regards to Table A Item 16 - No Observed evidence of current earth moving work, building construction was observed in the process of conducting the survey.
- In regard to Table A Item 17 - No observed evidence of recent street or sidewalk construction was observed in the process of conducting the survey.
- In regard to Table A Item 18 - The location of flagging delineating wetlands shown hereon was located in 2017.
- In the preparation of this survey reference was made to Chicago Title Insurance Company Commitment for Title Insurance Order No. 19015294NS with an Effective Date of August 28, 2019.

With respect to **Schedule B** of said commitment:

Exception H - Road Dedication - Doc. No. 206550 - The land therein described is not located on the subject property.
Exception I - Permanent Easement - Case No. 92EDKA15 - The land therein described is not located on the subject property but is immediately contiguous and adjacent to the north line of the subject property.

State of Illinois)
County of Cook) SS:

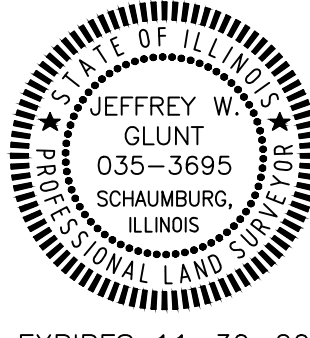
To: Chicago Title Land Trust Company as Trustee under Trust Agreement dated February 1, 2009 known as Trust Number 8002350432; and
Chicago Title Insurance Company, its successors and/or assigns,

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(b) 7(a), 7(b)(1), 7(c), 8, 9, 11, 13, 14, 16, 17, 18, 19, and 20 of Table A thereof. The field work was completed on September 20, 2019.

This professional service conforms to the current Illinois minimum standards for a boundary survey.

Schaumburg, Illinois September 23, 2019

By: Illinois Professional Land Surveyor No. 3695



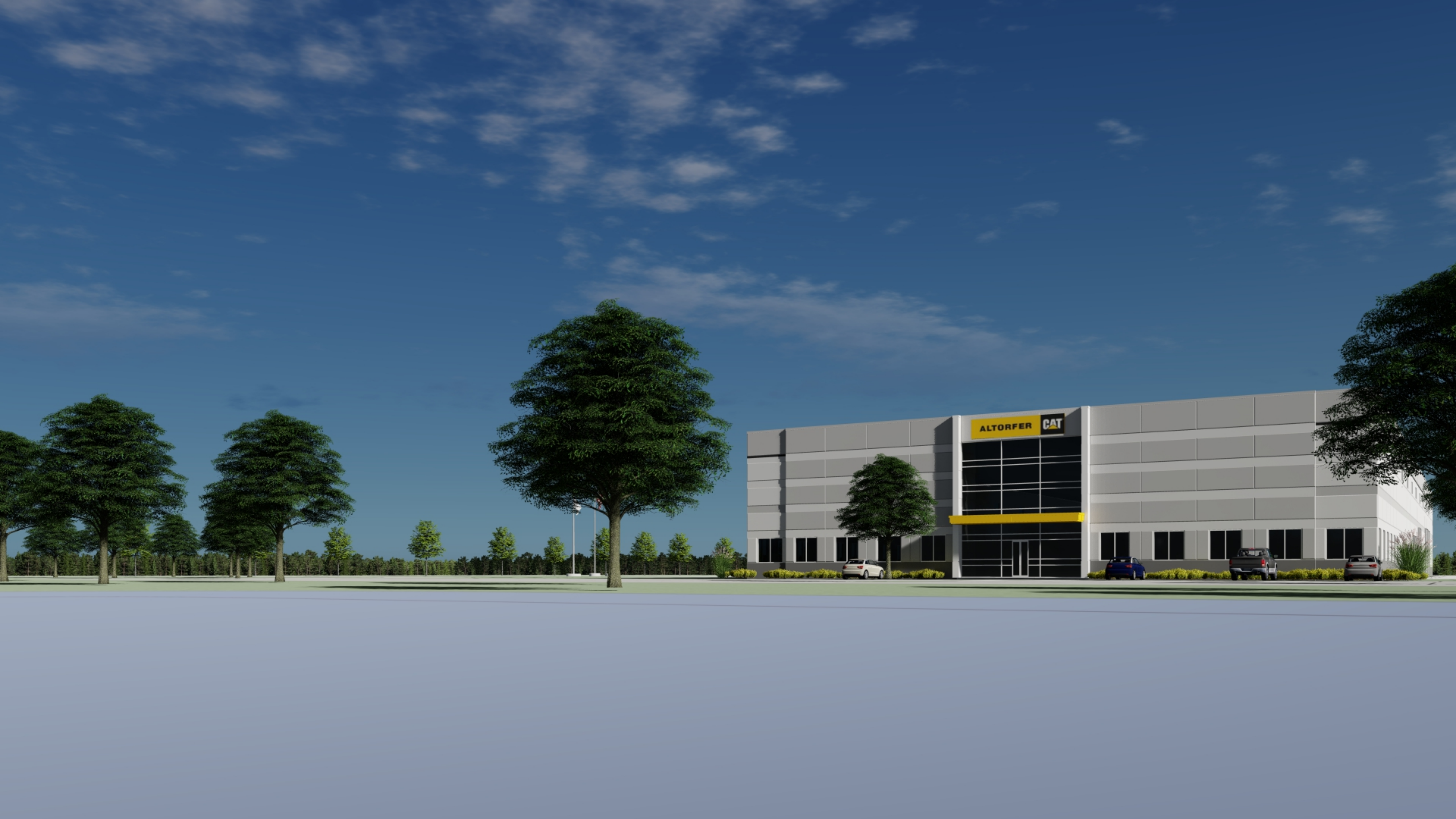
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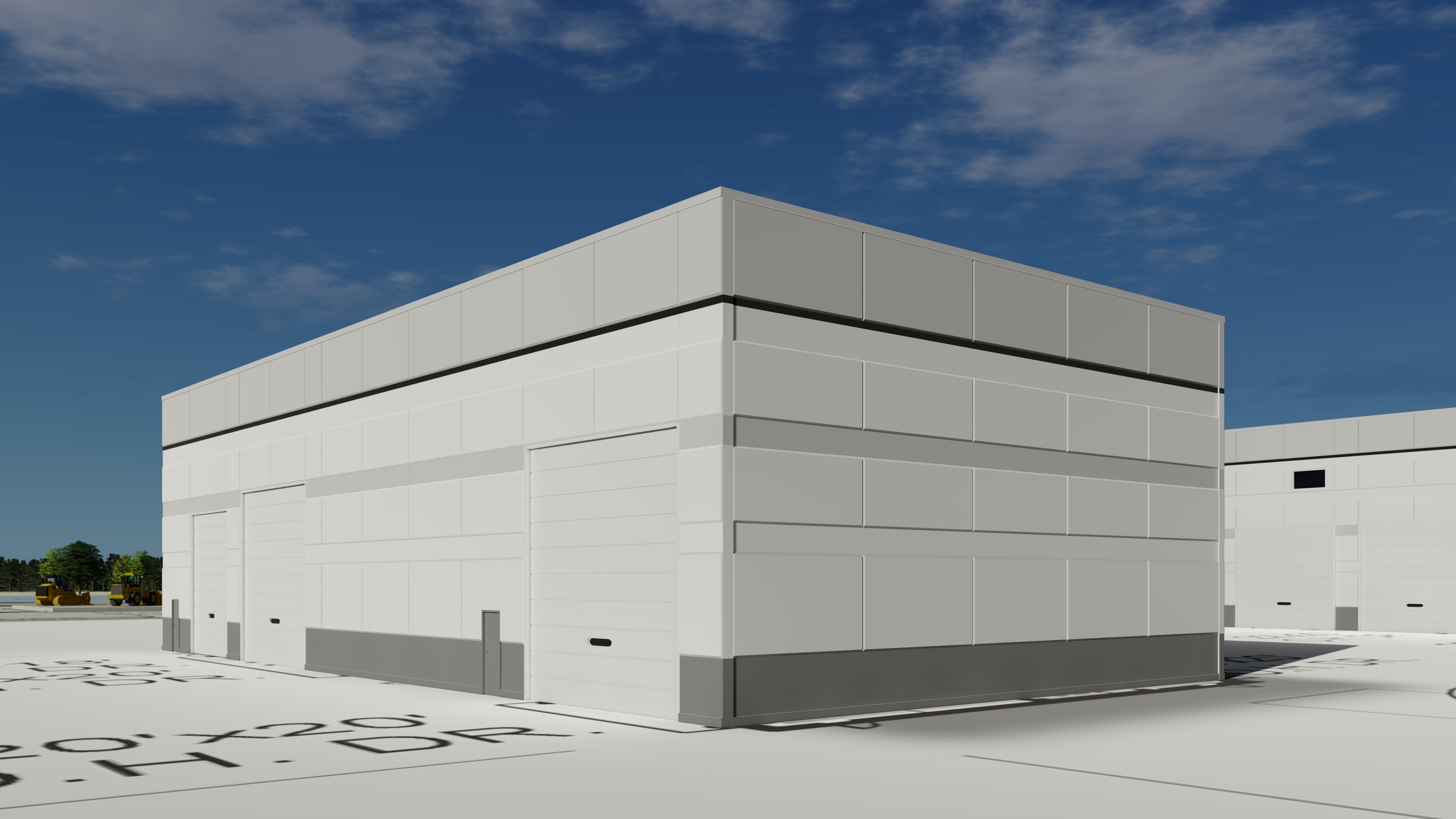
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EXPIRES 11-30-20









State of Illinois)
County of Kane) SS
Village of East Dundee)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning and Zoning Commission of the Village of East Dundee will hold a public hearing on June 4, 2020 at 7:00 P.M. via teleconference call by authorization of Gov. Pritzker waiving a portion of the Illinois Open Meetings act to allow local governments to hold "remote" meetings to help control the spread of COVID-19

1. A request to rezone the following described property from R-1 Single Family to the M-1 Limited Manufacturing.
2. A request for a variance from Section 155.045(G)(1) and Section 155.045(G)(4) of the Subdivision Chapter of the East Dundee Village Code requiring the maximum length of a cul-de-sac shall be 500 feet measured along the center line from the intersection at origin through center of circle to end of right-of-way and requiring the use of cul-de-sac streets shall be prohibited in multi-family, business or industrial districts.
3. A request for a variance from Section 155.054 and Section 155.096(A)(1)(c) of the Subdivision Chapter of the East Dundee Village Code requiring the sanitary sewer to be extended through the development parcel.
4. A request for a variance from Section 157.065(A)(2)(e)(3) of the Zoning Chapter of the East Dundee Village Code requiring areas utilized for accessory commercial operations yards shall be provided with a permanent durable and dustless surface.
5. A request for a variance from Section 157.065(A)(2)(e)(4) of the Zoning Chapter of the East Dundee Village Code and Section 158.04 of the Landscape Chapter of the East Dundee Village Code requiring storage yards to be completely enclosed and screened with a solid wall or fence of not more than 12 feet in height and/or a berm or evergreen plants of any height.

Property Legal Description:

THAT PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF GATEWAY SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED MAY 8, 1989 AS DOCUMENT NO. 1972329 WITH THE SOUTHWESTERLY LINE OF PARCEL 0002 ACQUIRED BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION IN CONDEMNATION CASE ED 92 0015 BY ORDER DATED APRIL 22, 1993 AND AS SHOWN ON DOCUMENT 96K009367 AS ILLINOIS ROUTE 72, HIGGINS ROAD;

THENCE SOUTH 61 DEGREES 53 MINUTES 27 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE, 491.05 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY 654.45 FEET ALONG SAID SOUTHWESTERLY LINE, BEING A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 22,706.63 FEET AND WHOSE CHORD BEARS OF SOUTH 61 DEGREES 03 MINUTES 54 SECONDS EAST 654.43 FEET TO A BEND POINT IN SAID SOUTHWESTERLY LINE; THENCE SOUTH 37 DEGREES 44 MINUTES 46 SECONDS EAST ALONG THE SOUTHWESTERLY LINE OF SAID ILLINOIS ROUTE 72 A DISTANCE OF 160.60 FEET TO A BEND POINT IN SAID SOUTHWESTERLY LINE; THENCE NORTH 23 DEGREES 44 MINUTES 02 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE 61.34 FEET TO A POINT ON A CURVE; THENCE SOUTHEASTERLY 280.08 FEET ALONG SAID SOUTHWESTERLY LINE, NON TANGENT TO THE LAST DESCRIBED COURSE, BEING A CURVE TO THE RIGHT, HAVING A RADIUS OF 22,706.63 FEET AND WHOSE CHORD BEARS OF SOUTH 59 DEGREES 31 MINUTES 40 SECONDS EAST 280.08 FEET TO A BEND POINT; THENCE SOUTH 59 DEGREES 09 MINUTES 16 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE, NON TANGENT TO THE LAST DESCRIBED CURVE, 490.70 FEET; THENCE SOUTH 30 DEGREES 50 MINUTES 06 SECONDS WEST, DEPARTING FROM SAID SOUTHWESTERLY LINE 223.12 FEET; THENCE SOUTH 24 DEGREES 01 MINUTES 52 SECONDS WEST 311.97 FEET; THENCE NORTH 59 DEGREES 09 MINUTES 53 SECONDS WEST 822.05 FEET; THENCE NORTH 61 DEGREES 03 MINUTES 20 SECONDS WEST 122.51 FEET; THENCE SOUTH 08 DEGREES 53 MINUTES 49 SECONDS WEST 565.95 FEET; THENCE NORTH 81 DEGREES 06 MINUTES 11 SECONDS WEST 874.66 FEET TO A POINT ON SAID EAST LINE OF SAID GATEWAY SUBDIVISION; THENCE NORTH 08 DEGREES 31 MINUTES 15 SECONDS EAST ALONG THE LAST DESCRIBED LINE 1448.17 FEET TO THE POINT OF BEGINNING,

TOGETHER WITH ALL THAT PART OF ILLINOIS ROUTE 72 (HIGGINS ROAD) LYING NORTH OF AND ADJACENT TO ABOVE DESCRIBED PROPERTIES, NOT PREVIOUSLY ANNEXED TO THE VILLAGE OF EAST DUNDEE, ALL IN KANE COUNTY, ILLINOIS.

PINS: 03-25-300-011, 03-25-300-012

All interested persons will be given an opportunity to be heard.

VILLAGE OF EAST DUNDEE, ILLINOIS

Findings of Fact – Rezoning

Property Location: Altorfer CAT Development Project

Rezoning requested: Rezone the property from R-1 – Single Family District to the M-1-Limited Manufacturing District

Hearing date: June 4, 2020

The Planning and Zoning Commission has made the following findings regarding the variation request:

1. Existing uses of property within the general area of the property in question.

Uses within the general area include manufacturing, retail, restaurant, amusement, automotive, and residential.

2. The zoning classification of property within the general area of the property in question.

All incorporated adjacent property is zoned M1 – Limited Manufacturing, B3 – Service Business District, and B4 – Automotive Service Business District.

3. The suitability of the property in question to the uses permitted under the existing zoning classification.

The property is designed for uses permitted within the M1 – Limited Manufacturing District.

4. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification.

If the property stayed R1 – Single Family District, there is not demand for development.

5. The extent to which property values are diminished by the particular zoning restrictions.

If the property stayed R1 – Single Family District, there is not demand for development.

6. The extent to which the destruction of property values of promotes the health, safety, morals, and general welfare of the public.

N/A

7. The relative gain to the public as compared to the hardship imposed upon the individual property owner.

The public will gain an increase in the property tax base and sales tax revenue for the Village.

8. The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.

The property has always been unincorporated and vacant.

9. The community need for the proposed use.

The Village's Comprehensive Plan acknowledges future land use to be developed for general business / industrial.

10. The care with which the community has undertaken to plan its land use development.

The Village updated its Comprehensive Plan in 2002.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested variation(s) resulting in the following vote:

____ayes ____nays ____absent____abstain

Date: _____
Planning and Zoning Commission Chairman

VILLAGE OF EAST DUNDEE, ILLINOIS

Findings of Fact – Variances

Property Location: Altorfer CAT Development Project

Variance(s) requested: A variance from Section 155.045(G)(1) and Section 155.045(G)(4) of the Subdivision Chapter of the East Dundee Village Code requiring the maximum length of a cul-de-sac shall be 500 feet measured along the center line from the intersection at origin through center of circle to end of right-of-way and requiring the use of cul-de-sac streets shall be prohibited in multi-family, business or industrial districts.

A variance from Section 155.054 and Section 155.096(A)(1)(c) of the Subdivision Chapter of the East Dundee Village Code requiring the sanitary sewer to be extended through the development parcel.

A variance from Section 157.065(A)(2)(e)(3) of the Zoning Chapter of the East Dundee Village Code requiring areas utilized for accessory commercial operations yards shall be provided with a permanent durable and dustless surface.

A variance from Section 157.065(A)(2)(e)(4) of the Zoning Chapter of the East Dundee Village Code requiring storage yards to be completely enclosed and screened with a solid wall or fence of not more than 12 feet in height and/or a berm or evergreen plants of any height.

Hearing date: June 4, 2020

The Planning and Zoning Commission has made the following findings regarding the variation request:

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district; Circle one; Yes/No/Not Applicable(N.A.), Explain:**

Without the variances, the property would not allow for the development as proposed.

- 2. The plight of the owner is due to unique circumstances; Yes/No/N.A. and**

Yes, the property's unique circumstances limits the ability to develop the property.

- 3. The variation, if granted, will not alter the essential character of the locality. Yes/No/N.A.**

The character of the locality would not be affected and would be enhanced due with the development instead of a vacant property.

For the purpose of supplementing the above standards, the Planning and Zoning Commission, in making its decision whenever they are practical difficulties or particular hardship, shall also take into consideration the extent to which the following facts favorable to the applicant, have been established by the evidence that:

- 1. The particular physical surroundings, shape or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the regulations were strictly enforced; Yes/No/N.A.**

If the regulations are strictly enforced, the development could not be built as proposed and, therefore, the project would not be completed.

- 2. The conditions upon which the petition for variation is based would be applicable generally to other property within the same zoning classification; Yes/No/N.A.**

Should these conditions reoccur on a development with the same zoning classification, the basis for the variation would be applicable.

- 3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property; Yes/No/N.A.**

Without the variations, the overall use of the property would be affected and remain vacant.

- 4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property; Yes/No/N.A.**

Yes.

- 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; Yes/No/N.A.**

The granting of the variances would not be detrimental or injurious to the surrounding properties.

6. **The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood. Yes/No/N.A.**

The proposed variation would not have any of the above negative effects.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the Planning and Zoning Commission voted on the approval of these findings of fact and the requested variation(s) resulting in the following vote:

____ayes ____nays ____absent____abstain

Date: _____

Planning and Zoning Commission Chairman