

**City of Prospect Heights  
Plan/Zoning Board of Appeals  
August 26, 2021**

**I. MEETING COMMENCEMENT:**

The regular meeting of the Plan/Zoning Board of Appeals was called to order at 7:06 pm by Director Peterson, at City Hall, 8 N. Elmhurst Road, in Prospect Heights, Illinois. Meeting held in Prospect Heights City Hall Council Chambers

**II. ROLL CALL:**

Present: Commissioners Kempa, DeGraf, Saewert, Rygiel  
Absent: Commissioner Tammen, Commissioner Patel by prior notice and Chairman Mellen by prior notice  
Quorum is present.

Present at the meeting: Director of Building & Development Daniel A. Peterson and Recording Secretary: Jenn Myzia

Commissioner DeGraf nominates Commissioner Kempa to act as Chairman Pro-Tem. Second by Commissioner Saewert approved by Commissioners Rygiel, Saewert, DeGraf and Kempa.

**III. APPROVAL OF August 5, 2021 MINUTES**

Motion made by Commissioner DeGraf, seconded by Commissioner Saewert to approve the meeting minutes as corrected.

**ROLL CALL VOTE:**

AYES: Commissioners DeGraf, Saewert, Rygiel and Chairman Pro-Tem Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel and Chairman Mellen

ABSTAIN:

Motion carried 4:0:3

**IV. OLD BUSINESS: NONE**

**V. NEW BUSINESS**

**1. PZBA – Zoning Public Hearing: Case No. ZBA 21-06 V, 600 N. Elmhurst Rd.**

Applicants: Megan Coleman & James Poulos

Address: 600 N. Elmhurst Rd. Prospect Heights, IL 60070

Description of Request:

The petitioner is seeking the following relief for this project:

- A. Variation to Section 5-3-4H1f2 to allow the reduction of the required corner side yard setback from 25' to 10' for the placement of a 6' wood and vinyl fence.
- B. Variation to Section 5-3-4H1f(2) to allow the reduction of the reverse corner side yard from the location equal to the front setback line 40' to 10' of the adjacent property for a distance equal to 50' for a placement of a 6' wood and vinyl fence.

Chairman Pro-Tem Kempa requests a motion to open the public hearing for 21-06 V at 7:11 pm

Motion by Commissioner Saewert

Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners DeGraf, Saewert, Rygiel and Chairman Pro Tem Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel and Chairman Mellen

ABSTAIN:

Approved 4:0:3

Chairman Pro Tem Kempa swears in all parties wishing to speak on case 21-06 V.

Director Peterson describes the reverse corner side yard and the variation.

Jim Poulos of 600 N. Elmhurst Rd. The applicant presents the case.

Chairman Pro Tem Kempa opens up the hearing for resident testimony.

Chairman Pro Tem Kempa requests a motion to close the public hearing for 21-06 V at 7:17 pm

Motion by Commissioner DeGraf

Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Saewert, DeGraf, Rygiel and Chairman Pro Tem Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel and Chairman Mellen

ABSTAIN:

Approved 4:0:3

Public Hearing is closed.

Chairman Pro Tem Kempa asks for commissioner comments and questions.

The commissioners discuss their viewpoints and Director Peterson cites different properties that have received relief in some form.

Photographs taken by the applicant illustrating the existing shrub line are submitted into evidence.

Discussions between the commissioners continue.

Chairman Pro Tem Kempa swears in Mary Kay Fischer of 602 N. Elmhurst.

Chairman Pro Tem Kempa requests a motion to receive into the public record the staff review of the zoning compliance for the application 21-06 V with the zoning standards as presented by staff and to make these standards a part of the official record of this application.

Motion by Commissioner Saewert

Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners DeGraf, Rygiel, Saewert and Chairman Pro Tem Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel; and Chairman Mellen

ABSTAIN:

Approved 4:0:3

Chairman Pro Tem Kempa requests a motion to recommend that City Council approve the application 21-06 V part A. for a variation to Section 5-3-4H1f2 to allow the reduction of the required corner side yard setback from 25' to 10' for the placement of a 6' wood and vinyl fence.

Motion by Commissioner DeGraf

Second by Commissioner Saewert

ROLL CALL:

AYES: Commissioners Rygiel, DeGraf and Chairman Pro Tem Kempa

NAYS: Commissioner Saewert

ABSENT: Commissioner Tammen, Patel and Chairman Mellen

ABSTAIN:

Approved 3:1:3

Chairman Pro Tem Kempa requests a motion to recommend that City Council approve the application 21-06 V part B. for a variation to Section 5-3-4H1f(2) to allow the reduction of the reverse corner side yard from the location equal to the front setback line 40' to 10' of the adjacent property for a distance equal to 50' for a placement of a 6' wood and vinyl fence.

Motion by Commissioner DeGraf

Second by Commissioner Saewert

ROLL CALL:

AYES: Commissioners Rygiel, DeGraf and Chairman Pro Tem Kempa

NAYS: Commissioner Saewert

ABSENT: Commissioner Tammen, Patel and Chairman Mellen

ABSTAIN:

Approved 3:1:3

This case will appear before City Council on September 13, 2021

## **2. PZBA – Zoning Public Hearing: Case No. ZBA 21-07 SU, 1311 E. Rand Rd.**

Applicant: Sue Dorsch / Sue's SuperPlay LLC

Address: 1215 N. Waterman Arlington Heights, IL 60004

Description of Request:

- A. Consideration of an application for a Special Use Permit to operate a 3,500± sq. ft. sit down restaurant with outdoor dining, in the B-2A General Commercial District per 5-7-3 C of the City of Prospect Heights Zoning Code.

Chairman Pro Tem Kempa requests a motion to open the public hearing for 21-07 SU at 7:38 pm

Motion by Commissioner DeGraf  
Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Rygiel, Saewert, DeGraf and Chairman Pro Tem Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel and Chairman Mellen

ABSTAIN:

Approved 4:0:0

Chairman Pro Tem Kempa swears in all parties wishing to speak on case 21-07SU.

Director Peterson describes the Special Use request.

The applicants Marie Boruckie and Sue Dorsch speak in regard to the special use.

Chairman Pro Tem Kempa opens the hearing to the public testimony and questions from the commissioners.

Commissioner Saewert asks Director Peterson of a language change for the application which needs an answer regarding a liquor license definition.

Discussions and questions continue in regard to the type of restaurant versus a bar with a gaming lounge. Discussions in regard to the parking lot and the number of spaces required and the configuration of the parking lot.

Chairman Pro Tem Kempa swears in Bhavin Patel, the landlord of the building located at 1307-1313 N Rand Rd.

Discussions continue in regard to the parking.

Chairman Pro Tem Kempa swears in Don Dorsch of 1215 N. Waterman Arlington Heights, IL 60004 the husband of applicant Sue Dorsch.

Chairman Pro Tem Kempa requests a motion to close the public hearing for 21-07 SU at 8:00 pm

Motion by Commissioner Saewert  
Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners Rygiel, DeGraf, Saewert and Chairman Pro Tem Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel and Chairman Mellen

ABSTAIN:

Approved 4:0:3

Director Peterson comments the possibility of a continuance for the applicants to ask for a continuance rather than closing the public hearing in an effort for the applicants to present additional facts related to items that need additional clarification.

The applicants ask for a continuance.

Chairman Pro Tem Kempa requests a motion to rescind the closing of the public hearing for 21-07 SU at 8:07 pm

Motion by Commissioner Saewert

Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners Rygiel, DeGraf, Saewert and Chairman Pro Tem Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel and Chairman Mellen

ABSTAIN:

Approved 4:0:3

Chairman Pro Tem Kempa requests a motion to continue the public hearing for 21-07 SU at 8:07 pm

Motion by Commissioner DeGraf

Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Saewert, DeGraf, Rygiel and Chairman Pro Tem Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel and Chairman Mellen

ABSTAIN:

Approved 4:0:3

The public hearing for case 21-07 SU has been continued to September 23, 2021.

**VI. Public Comment**

**VII. Previous Application Updates**

- |                    |                         |
|--------------------|-------------------------|
| A. PZBA 21-04 & 06 | 25-35 Piper Lane PLITEK |
| B. PZBA 20-02 SU   | 10 E Camp McDonald      |
| C. PZBA 20-12 SU   | 1421 N Rand Rd          |

**VIII. Communications**

There will be a ZBA meeting on September 23, 2021

**IX. Adjournment 8:10 pm**

Motion to Adjourn: Commissioner DeGraf

Second: Commissioner Saewert

ROLL CALL:

AYES: Commissioners Rygiel, DeGraf, Saewert and Chairman ProTem Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel & Chairman Mellen

ABSTAIN: