

ORDINANCE NO. O-22-04

**AN ORDINANCE GRANTING CERTAIN VARIATIONS FOR
THE PROPERTY AT
14 KENNETH AVE., PROSPECT HEIGHTS, ILLINOIS**

WHEREAS, the provisions of the Prospect Heights Zoning Ordinance applicable to the property legally described in Exhibit A attached hereto (hereinafter "Property") and commonly known as 14 Kenneth Ave. prescribe that the principal structure maintain a 40' front yard setback and a 15' side yard setback from the property line, and

WHEREAS, the owner of the Property has submitted for consideration of a variation to allow a 10' reduction from 40' to 30' in the front yard setback and a 5' reduction from 15' to 10' in side yard setback for a garage addition to a single family residence Section 5-6-1E2 of the City of Prospect Heights Zoning Code on the property commonly known as 213 Shannon Dr., Prospect Heights, Illinois, in the City's R-1 Single Family Residential District; and

WHEREAS, the Plan/Zoning Board of Appeals held a public hearing on February 24, 2022 regarding said application; and

WHEREAS, the Plan/Zoning Board of Appeals has recommended the Requested Variation be approved and has made the necessary finding therefore; and

WHEREAS, the Mayor and City Council have reviewed the recommendation of the Plan/Zoning Board of Appeals;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PROSPECT HEIGHTS, COOK COUNTY, ILLINOIS as follows:

Section 1. The City Council hereby finds and determines that the facts set forth in the preamble hereto are true and correct and hereby incorporates them as part of this Ordinance.

Section 2. The Requested Variations are hereby granted.

Section 3. That this variation is conditioned upon applicants construction of the addition substantially in accordance with the approved site plans, Exhibit B, and documents submitted at the public hearing on this matter and with applicable codes.

Section 4. That this Ordinance and all exhibits attached hereto shall be recorded at the Cook County Recorder's Office at the expense of the Owners.

Section 5. The City Clerk is directed to publish this ordinance in pamphlet form and this Ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED AND APPROVED this 14th day of March 2022.


Matthew Dolick, Acting Mayor

ATTEST:



Karen Schultheis, Deputy City Clerk

AYES: Dolick, Cameron, Quinn, Dash, Morgan-Adams

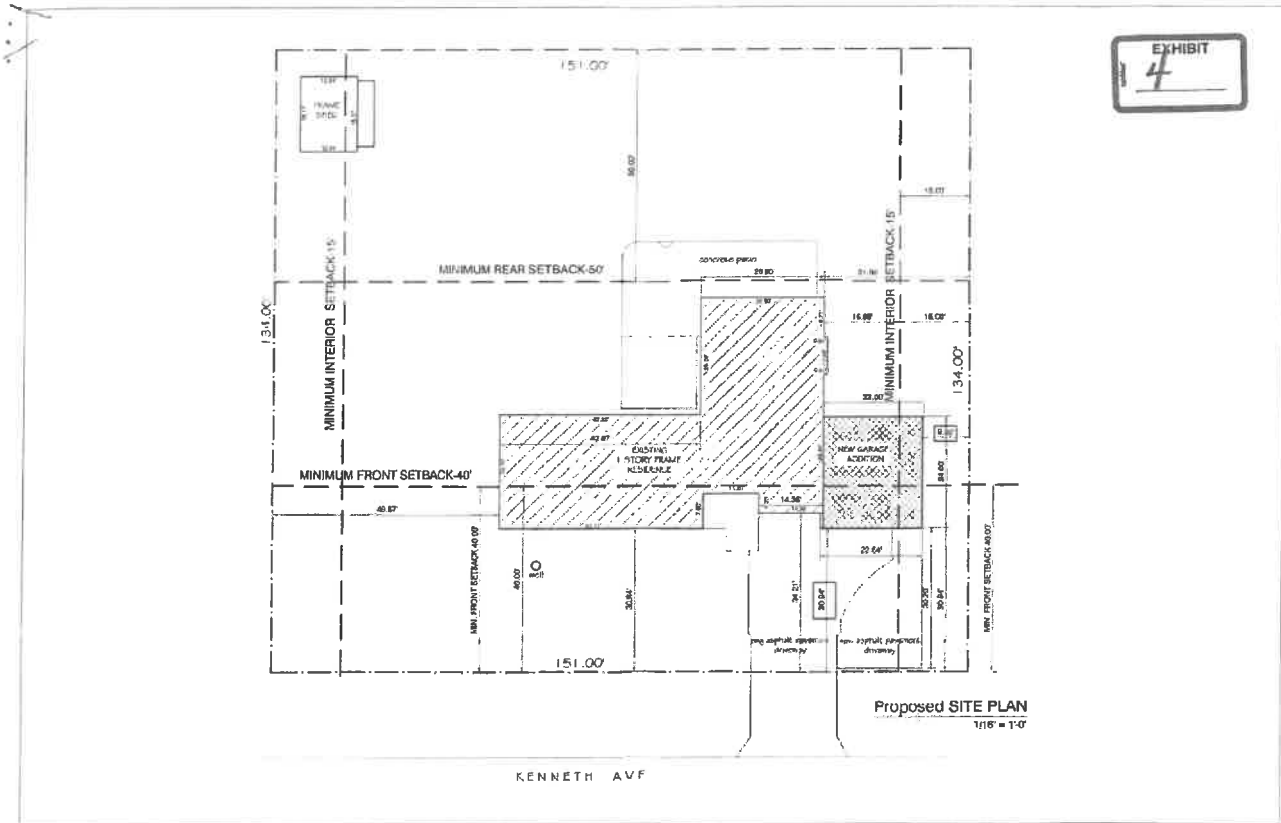
NAYS: None

ABSENT: None

Published in pamphlet form: March 14, 2022.



Exhibit B
PZBA Case #22-05 V
Proposed Site Plan





FOR OFFICE USE ONLY:
 FEE PAID _____
 RECEIPT # _____
 DATE _____
 REC'D BY _____
 CASE # _____
 MEETING DATE _____

\$500

**PLAN/ZONING BOARD OF APPEALS
 APPLICATION**

Special use (\$400)
 Variation (\$150)
 Text Amendment (\$300)

Map Amendment (Refer to Ord. 0-03-18)
 Subdivision/PUD (Refer to Ord. 0-03-18)
 Lot Consolidation (Refer to Ord. 0-03-18)
 Appearance Review

APPLICANT: Dorota Karzewska
 ADDRESS: 14 Kenneth Ave
Prospect Hts. IL 60070
 PHONE: 847-280-1619
 E-MAIL: dkarzewska@yahoo.com
 ADDRESS OF SUBJECT PROPERTY: 14 Kenneth Ave Prospect Hts. IL 60070

PROPERTY IS LOCATED IN THE R1 ZONING DISTRICT.

APPLICABLE SECTION OF ORDINANCE: 5-6-1 E2

DESCRIPTION OF REQUEST: I would like to ask for a request, to build a garage. We currently don't have one.

Are there any covenants, conditions, restrictions or floodplain issues concerning type of improvements, setbacks, area or height requirements, occupancy or use limitations, etc. placed on the property and now of record: YES _____ NO X
 If yes, please describe: _____

Has the property been the subject of previous or pending administrative legislative or court action:
 YES _____ NO X If yes, give details: _____

The follow items MUST be submitted at time of filling:

1. Application (12 copies)
2. Plat of Survey (12 copies) must be drawn to scale and indicate the location of the proposed addition or construction and must contain the legal description of the property, along with additional information to support the application. (12 copies) *Note - please include one copy for file no longer than 11x17.
3. Proof of Ownership (1 copy)
4. Letter indicating Hardship (for variations only 12 copies)
5. Notice to Property Owners (1 copy)
6. List of Property Owners (1 copy) obtained from the **Wheeling Township Office, 1616 N. Arlington Heights Rd. Arlington Heights, IL 60004 - Tel. 847-259-1515** of all properties lying within 350ft. of property line/subject's property once approved confirmation letter from the City of Prospect Heights is received.
7. Application Fee (cash or check made payable to: City of Prospect Heights)

Date: _____

Signature of Applicant _____

Letter of Indicating Hardship



I am writing to request a grant for the construction of a garage. Currently, the house located on 14 Kenneth Ave does not have a garage. My dream is to build a two-car garage, which would be attached to the house. Not having a garage has been very difficult and has made everyday life inefficient and uncomfortable. The worst time of the year is during winter, due to the time it takes to remove snow and ice off of the vehicles. Additionally, it would be a benefit to have the vehicles protected by the everyday inclement weather, so the exteriors can remain in great condition.

Possession of a garage would bring a more comfortable way of life. It would bring additional needed storage for bikes and other outdoor equipment. It is the only thing that is missing from having my dream home in this beautiful community. Please grant me the permission for this construction as it would mean a lot to me.

Thank you for your time and consideration.

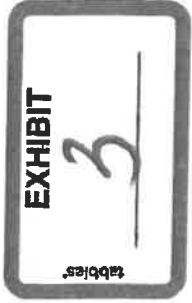
Sincerely,

Dorota Karczewska

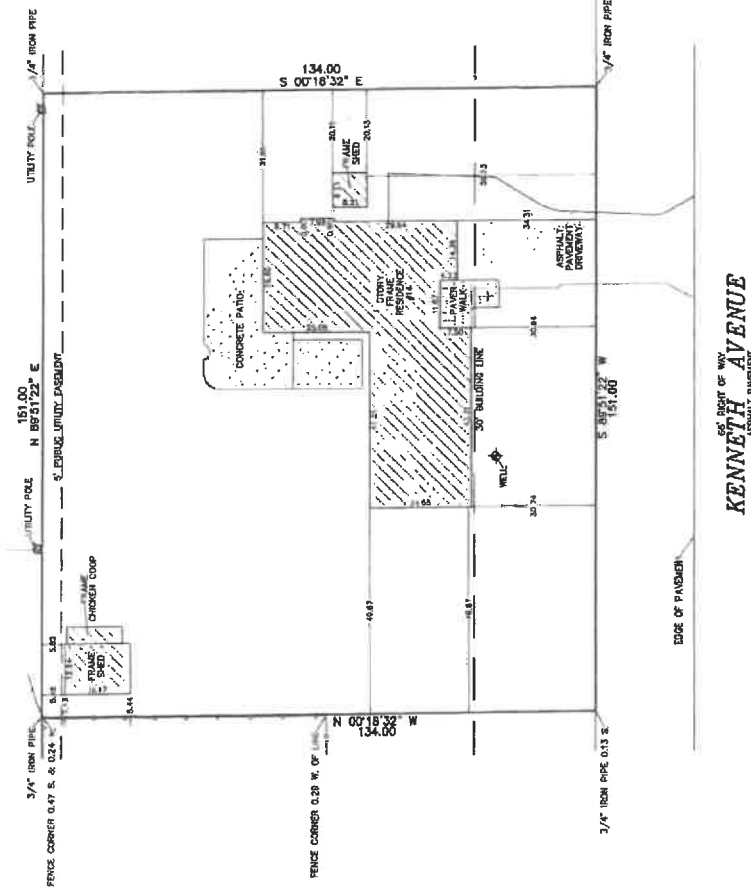
T.K.D. Land Survey, Inc.
 P.O. Box 100
 1000 North
 1000 North
 1000 North
 1000 North

PLAT OF SURVEY

OF
 LOT 23 IN BULETT'S COUNTRYSIDE SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 22 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



BASE OF BEARING
 (AS SHOWN)



LEGEND
 CHAIN LINK FENCE
 PLASTIC FENCE

MEASURED LOT AREA = 20,224 SQ. FT. (0.465 ACRES)
 *All dimensions shown are given in feet & decimal parts thereof
 *No angles or distances are to be assumed by scaling
 *This plat is subject to the provisions of the Illinois Surveying Act
 *Recorded subdivision plat 202/ for other available documentation.
 *Refer to title policy, deed or loan instrument for building setbacks
 and easements not shown herein and report any discrepancies.

Order # 202/202
 Address: 202/202
 P.L.N. 202/202-0000-0000
 Owner: Dr. Jack J. Miller



STATE OF ILLINOIS
 T.K.D. Land Survey, Inc.
 I, Mark E. DeLaney, an Illinois Professional Land Surveyor,
 do hereby certify that I have surveyed the above described
 property and that the above plat is a correct representation
 of said property.
 Mark E. DeLaney
 State of Illinois
 License No. 002-000000
 Registered Professional Land Surveyor
 This seal is valid only if the seal is stamped on the original survey.
 Illinois minimum standards for a boundary survey.

THIS SURVEY IS VALID ONLY WITH IMPROVED SEAL

155.35 RECORDED

EDGE OF PAVEMENT
 66' RIGHT OF WAY
 ASPHALT PAVEMENT
KENNETH AVENUE



Prospect Heights GIS Web Application

Developed by Gewalt Hamilton Associates, Inc.

Kenneth Ave

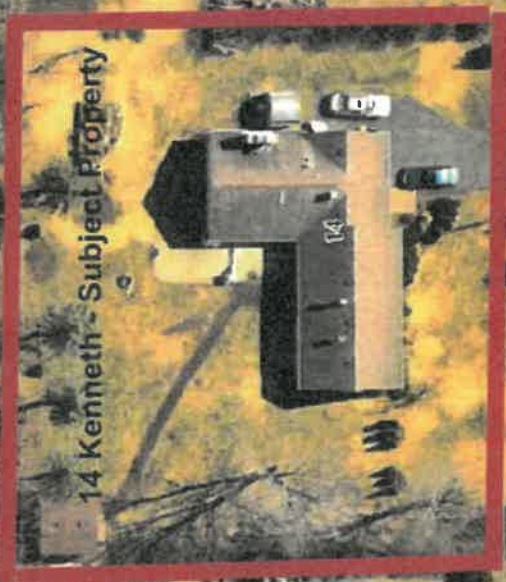
EXHIBIT

5

Show search results for 14...



1,092,954,684 1,983,056,547 Feet



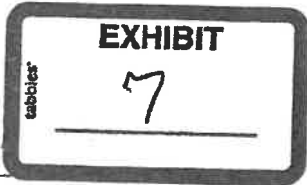
14 Kenneth - Subject Property

KENNETH AVE

N SCHOOL ST



03-15-405-018-0000



PROPERTY ADDRESS

14 KENNETH AVE
 PROSPECT HEIGHTS
 60070
 Township: WHEELING

MAILING ADDRESS

DOROTA KARCZWSKA & DAR
 14 KENNETH AVE
 PROSPECT HTS, IL 60070

PROPERTY CH

CURRENT INFORMATION

Assessed Value:
 (2021 Assessor First Pass)
 Assessment Information: 18,918
 Estimated Property Value: \$189,180
 Lot Size (SqFt): 20,234
 Building (SqFt): 1,205
 Property Class: 2-03
 Tax Rate : 0.000
 Tax Code : 38009

TAX BILLED AMOUNTS & TAX HISTORY

2021: \$3,303.76 Pay Online: \$3,303.76
 2020: \$6,006.84 Paid in Full
 2019: \$5,950.97 Paid in Full
 2018: \$7,401.40 Payment History
 2017: \$7,318.16 Payment History
 *=(1st Install Only)

EXEMPTIONS

2021: Not Available
 2020: 0 Exemptions Received
 2019: 0 Exemptions Received
 2018: 0 Exemptions Received
 2017: 0 Exemptions Received

APPEALS

2021: Not Available
 2020: Not Available
 2019: Not Available
 2018: Appeal Information
 2017: Appeal Information

REFUNDS AVAILABLE

No Refund Available

TAX SALE (DELINQUENCIES)

2021: Tax Sale Has Not Occurred
 2020: Tax Sale Has Not Occurred
 2019: Tax Sale Has Not Occurred
 2018: No Tax Sale
 2017: No Tax Sale

DOCUMENTS, DEEDS & LIENS

1905649000 - LIEN - 02/25/2019
 1324957047 - RELEASE - 09/06/2013
 1322550048 - MORTGAGE - 08/13/2013
 1322550047 - WARRANTY DEED - 08/13/2013
 1322457405 - RELEASE - 08/12/2013

All years referenced herein denote the applicable tax year (i.e., the year for which taxes were assessed). Parcels may from time to time be consolidated or subdivided. If information regarding a particular PIN appears to be missing for one or more tax years, it is possible that the PIN has changed due to a consolidation or subdivision. Users may contact the Cook County Clerk's Office for information regarding PIN lineage. Users should also note that the information displayed on this site does not include special assessments (which are billed and collected by municipalities) or omitted taxes (which are assessed on an ad hoc basis by the Cook County Assessor's Office). Please direct inquiries regarding the status of special assessments to your municipality. Questions regarding omitted taxes should be directed to the Assessor's Office.

Note: This printout cannot be used as a tax bill.



City of Prospect Heights

Department of Building & Zoning
8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
Office: 847/398-6070 x 211-FAX: 847/590-1854
www.prospect-heights.il.us

MEMORANDUM

Date: February 17, 2022

To: Planning/Zoning Board Commissioners

From: Daniel A. Peterson, Director of Building & Development

Subject: ZBA Case No. 22-05 V – Variation to encroach 9’ into the required front and 5’ into the side yard setback to construct a garage addition within the required setbacks at 14 Kenneth Ave.

Please be advised that Dorota Karczewska, owner of the subject property, is seeking variations to Section 5-6-1 E1 & 2 of the City of Prospect Heights Zoning Code to allow an encroachment into the required front yard from 40’ to 31’ and side yard setback from 15’ to 10’ for the construction of a garage addition to the primary structure. The property is legal non-conforming as it was platted and constructed prior to 1976 and the establishment of the current setbacks.

The meeting will be by Zoom format. Participation instructions will be listed on the agenda.

Please contact me should you have any questions regarding this application.

Thank you.

Memorandum

To: Prospect Heights Mayor and City Council

From: Bruce Mellen – Chairman
Plan / Zoning Board of Appeals

Date: February 25, 2022

Subject: Recommendation
Case No. ZBA -22-05 Variation
Applicant: Dorota Karczewska
Property Address: 14 Kenneth Ave.
Hearing Date: February 24, 2022

I. Purpose

Conduct a public hearing regarding and application for a Variation to Section 5-6-1(E) 1&2 of the City of Prospect Heights Zoning Code to allow a reduction in the required front yard setback from 40' to 30' and the required side yard setback from 15' to 10'. To construct an attached 2- car garage onto the existing legal nonconforming primary structure the R-1 Single Family Residential District at 14 Kenneth Avenue.

II. Comments and Testimonies

Director Peterson provided a brief description of the request and the legal nonconforming conditions of the existing property. The existing front yard setback is 30' and the property was established prior to the City's incorporation.

Ms. Dorota Karczewska, property owner, testified that agreed with the description and did not provide any additional testimony.

Mr. Ladvislad Smoldas, 16 Kenneth Avenue, testified in favor of the project. He stated. "He is happy with the project and happy with the location of the new garage." He resides next door to the proposed addition.

III. Board and Staff Comments

No additional staff or board comments were provided.

IV. Decisions and Findings

Commissioner DeGraf made a motion, seconded by Commissioner Saewart to recommend approval of variations to reduce the front yard from 40' to 30' and reduce the side yard setback from 15' – 10' for the construction a two car garage addition to the primary residence in the required front and side yard for the applicant at 106 Alton Lane, Prospect Heights, IL

The motion was 7-0 to recommend approval of the variation request and forward to the City Council.

Respectfully Submitted



City of Prospect Heights

Department of Building & Zoning
8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
Office: 847/398-6070 x 211-FAX: 847/590-1854
www.prospect-heights.il.us

MEMORANDUM

Date: August 28, 2020

To: Acting Mayor Dollick and City Council

From: Daniel A. Peterson, Director of Building & Development

Subject: ZBA Case No. 22-05 V – Variation to Reduce Front and Side Yard Setback to construct an addition to the garage at 14 Kenneth Ave., Prospect Heights, IL

Issue: Dorota Kraczevska, owner of the subject property is seeking a variation to Section 5-6-1 (E) 1&2 of the City of Prospect Heights Zoning Code to allow the reduction of the required front setback from 40' to 30' and the required side yard setback from 15' to 10' for the construction of an addition to the existing attached garage. The existing property has a 30' setback established prior to the City incorporating and is legal nonconforming.

Background: The PZBA held a public hearing on February 24, 2022. Ms. Kraczevska testified that she is requesting the smallest variation necessary to complete the addition. The PZBA voted unanimously (7-0) to recommend approval of the variation.

Mr. Ladvislad Smoldas, 16 Kenneth Avenue, testified that is happy with the project and placement of the new garage.

RECOMMENDATION: That the City Council approve Ordinance #O-22-04 granting certain variations to reduce the required front yard setback from 40' to 30', and the side yard setback from 15' to 10' allowing the applicant to construct of an addition to her primary structure.