

ORDINANCE NO. O-23-03

**AN ORDINANCE GRANTING CERTAIN VARIATIONS FOR
THE PROPERTY AT
406 W. WILLOW RD., 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 406 W. Willow Rd. prescribe that the principal structure maintain 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 2.65' reduction in the side yard setback for an addition to a single family residence from 15' to 12.35' and 1.3' to match the existing legal non-conforming structure per Section 5-6-1E2 of the City of Prospect Heights Zoning Code on the property commonly known as 406 W. Willow Rd., 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 January 26, 2023 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 Variation is hereby granted.

Section 3. That this variation is conditioned upon applicant's construction of the addition substantially in accordance with the approved plans 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 13th day of February 2023.


Matthew Dolick, Acting Mayor

ATTEST.

Joanna Prisiajouiuk, City Clerk

AYES: Dolick, Morgan-Adams, Cameron, Dash, Ludvigsen
NAYS: None
ABSENT: None
Published in pamphlet form: February 13, 2023.

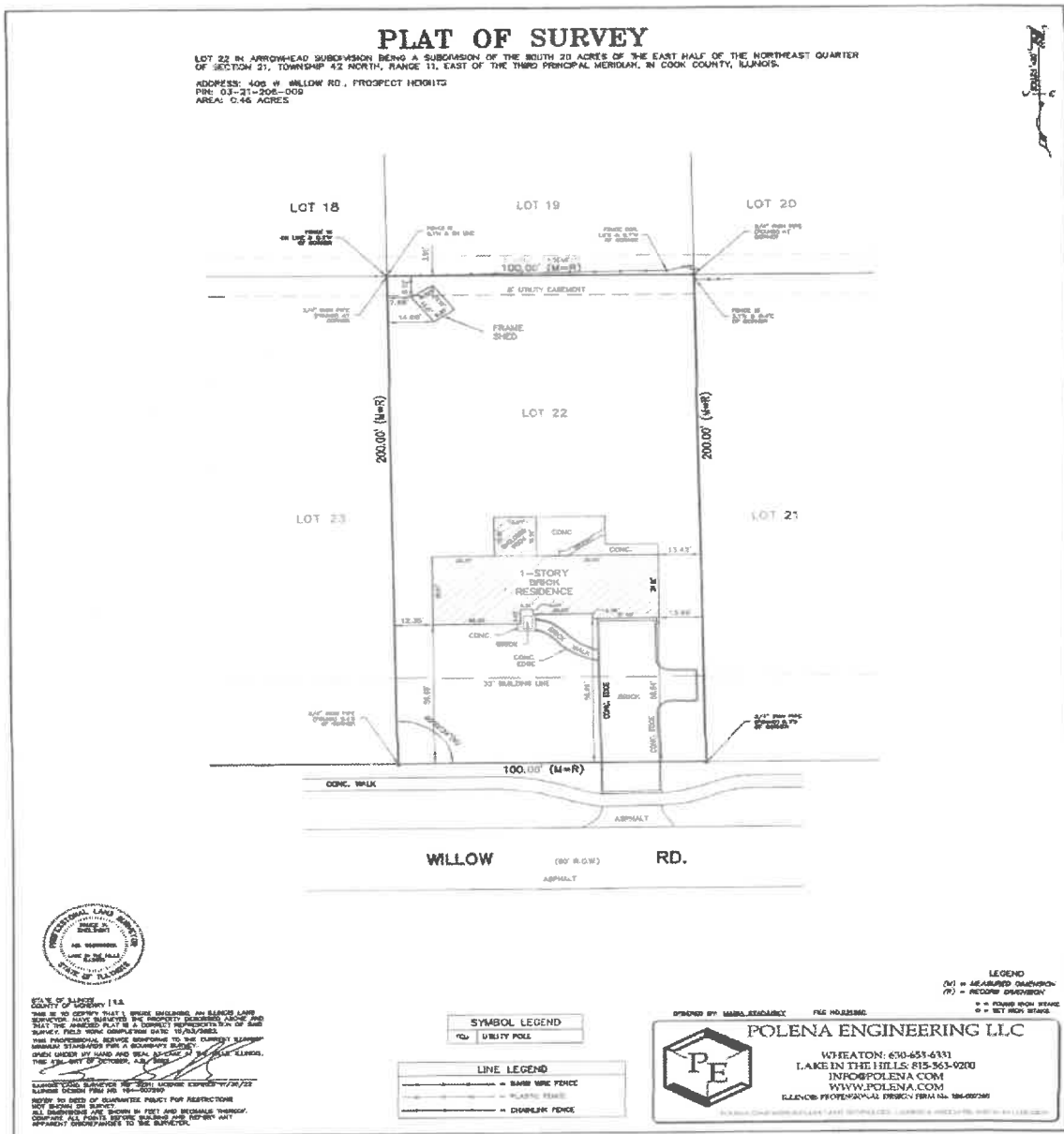


Exhibit A

Legal Description of 406 W. Willow Rd., Prospect Heights, IL

LOT 22 IN ARROWHEAD SUBDIVISION BEING A SUBDIVISION OF THE SOUTH 20 ACRES OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN #03-21-206-009-0000





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

**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

In addition to the application fee a refundable deposit not <\$500 nor >\$5,000 shall be required for all zoning applications to offset the direct costs of the application incurred by the City. If costs exceed the available escrow balance applicant will be required to replenish account. If balance remains the money will be refunded or applied to any building permit cost. (Refer to Ord. O-18-06: 5-10-7(D))

APPLICANT: RAYMOND STADALSKY
 ADDRESS: 406 W WILLOW RD
PROSPECT HEIGHTS, IL 60070
 PHONE: 815-236-7823
 E-MAIL: STADALSKY@AOL.COM

ADDRESS OF SUBJECT PROPERTY: 406 W. WILLOW RD

PROPERTY IS LOCATED IN THE R-1 ZONING DISTRICT.

APPLICABLE SECTION OF ORDINANCE: 5-6-1 E2

DESCRIPTION OF REQUEST: ENCROACH INTO REQUIRES INTERIOR SIDE YARD SETBACK

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
 If yes, please describe: _____

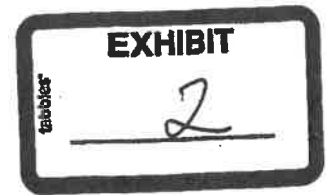
Has the property been the subject of previous or pending administrative legislative or court action:
 YES _____ NO If yes, give details: _____

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. Application Fee (cash or check made payable to: City of Prospect Heights)
6. Notice to Property Owners (1 copy) – will be supplied to you by the City of Prospect Heights.
7. List of Property Owners (1 copy) for Notice to Property Owners mailing - will be supplied to you by the City of Prospect Heights.

12-12-22
 Date:

[Signature]
 Signature of Applicant



Stadalsky
406 W Willow Rd
Prospect Heights, Illinois 60070

Re: Hardship for variation – 406 W Willow Rd

The house was built per city and is legal. Non-conforming side yard setback.

House has been in family since being built and plans to stay in the family and continue the relationship with Prospect Heights. Asking for variance to upgrade house to add pleasing appearance to the neighborhood.

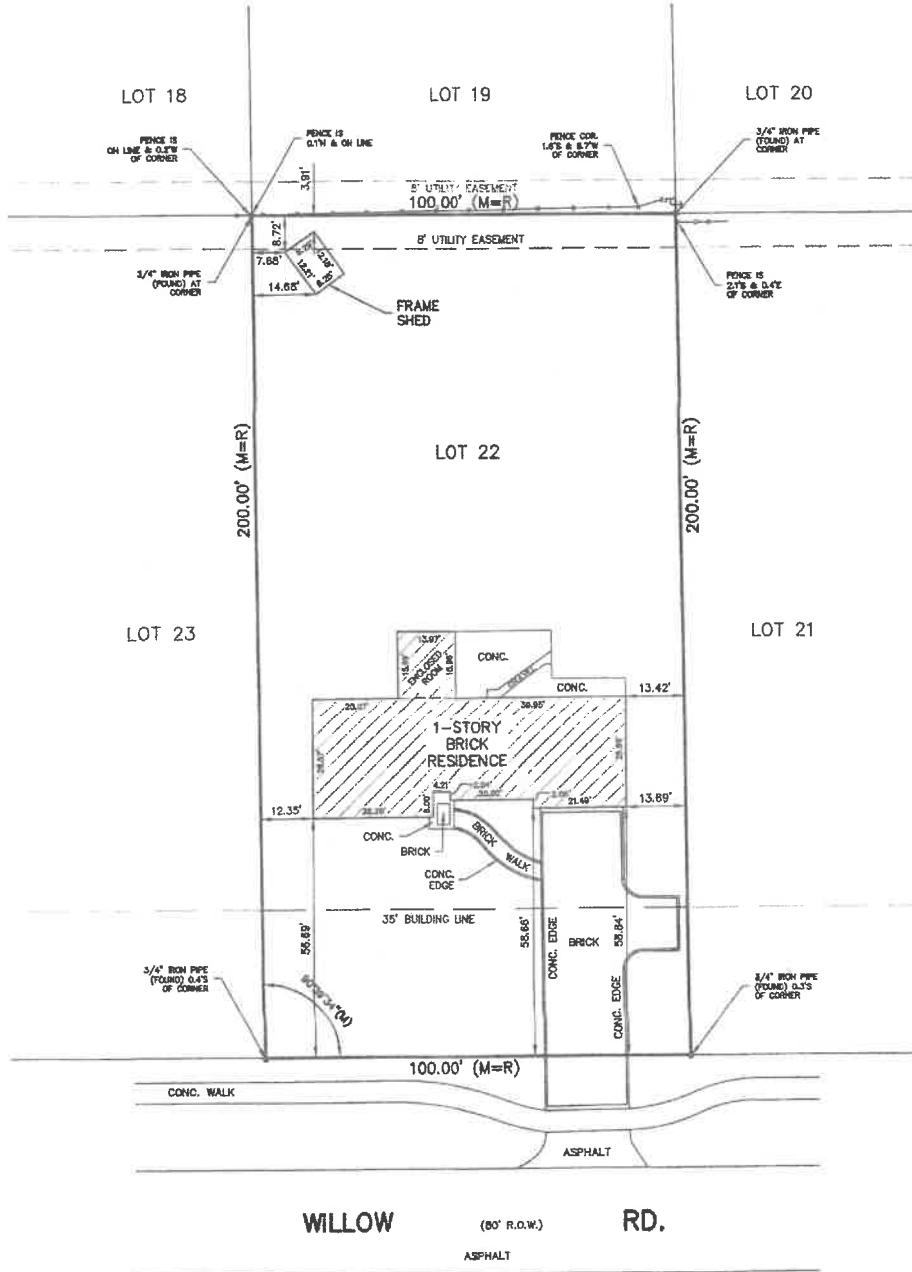
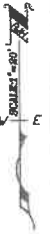
Variance would not infringe on neighbors property.

Hardship has not been directly created by any person presently, or a predecessor in interest, having a proprietary interest in the premiss.

PLAT OF SURVEY

LOT 22 IN ARROWHEAD SUBDIVISION BEING A SUBDIVISION OF THE SOUTH 20 ACRES OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ADDRESS: 406 W. WILLOW RD., PROSPECT HEIGHTS
 PIN: 03-21-206-009
 AREA: 0.46 ACRES



STATE OF ILLINOIS) S.S.
 COUNTY OF COOK)
 I, BRUCE A. SKOLINSKI, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. FIELD WORK COMPLETION DATE: 10/03/2022.
 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
 GIVEN UNDER MY HAND AND SEAL AT CHICAGO, ILLINOIS, THIS 4TH DAY OF OCTOBER, A.D. 2022.

ILLINOIS LAND SURVEYOR REG. 2018; LICENSE EXPIRES 11/30/22
 ILLINOIS DESIGN FIRM NO. 184-007280

REFER TO DEED OF GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.
 ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF. COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT DISCREPANCIES TO THE SURVEYOR.

SYMBOL LEGEND	
	UTILITY POLE

LINE LEGEND	
	BARB WIRE FENCE
	PLASTIC FENCE
	CHAINLINK FENCE

LEGEND
 (M) = MEASURED DIMENSION
 (R) = RECORD DIMENSION
 ● = FOUND IRON STAKE
 ○ = SET IRON STAKE

ORDERED BY: MARIA STADANSKY FILE NO. 221250



POLENA ENGINEERING LLC

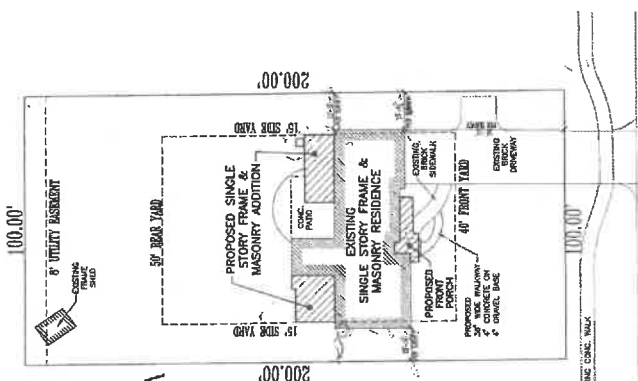
WHEATON: 630-653-6331
 LAKE IN THE HILLS: 815-363-9200
 INFO@POLENA.COM
 WWW.POLENA.COM
 ILLINOIS PROFESSIONAL DESIGN FIRM No. 184-007280

POLENA COMPANIES INCLUDE LAND TECHNOLOGY, LAMBERT & ASSOCIATES, AND ALAN J. COULSON

EXHIBIT

STADALSKY RESIDENCE 406 WEST WILLOW ROAD PROSPECT HEIGHTS, IL 60070

Maria Stadalcky
MariaStadalcky@gmail.com
815-236-6290



WILLOW ROAD

SITE PLAN

- NOTES:
1. VERIFY UTILITY LOCATIONS.
 2. VERIFY DEEDS TO BE REMAIND WITH OWNER.
 3. VERIFY STRUCTURE LOCATION WITH OTHERS. SITE PLAN SHOWN REPRESENTS A REFERENCE LOCATION. THE LOCATION OF FOUNDATION, EXISTING OR PROPOSED, SHALL BE VERIFIED BY THE ARCHITECT IN FIELD NO PORTION OF THE STRUCTURE EXTENDS OUTSIDE THE STRUCTURE BOUNDARY LINES OR ELEMENTS.
 4. REFER TO CIVIL ENGINEERING PLANS FOR UTILITY INFORMATION.
 5. BOUNDARY BASED UPON PLAT OF SURVEY FURNISHED TO ARCHITECT BY OWNER. VERIFY LOT DIMENSIONS IN FIELD.

DRAWING INDEX

- 4000 SITE PLAN
- 4001 EXISTING FOUNDATION PLAN
- 4002 EXISTING FRAMING PLAN
- 4003 EXISTING MASONRY ELEVATION
- 4004 EXISTING ROOF PLAN
- 4005 EXISTING SIDE ELEVATION
- 4006 EXISTING FRONT ELEVATION
- 4007 EXISTING REAR ELEVATION
- 4008 EXISTING INTERIOR FINISH PLAN
- 4009 EXISTING MECHANICAL PLAN
- 4010 EXISTING ELECTRICAL PLAN
- 4011 EXISTING PLUMBING PLAN
- 4012 EXISTING HVAC PLAN
- 4013 EXISTING PAINT PLAN
- 4014 EXISTING FLOOR FINISH PLAN
- 4015 EXISTING CEILING FINISH PLAN
- 4016 EXISTING WINDOW SCHEDULE
- 4017 EXISTING DOOR SCHEDULE
- 4018 EXISTING LIGHTING PLAN
- 4019 EXISTING SOUND ATTENUATION PLAN
- 4020 EXISTING ENERGY EFFICIENCY PLAN
- 4021 EXISTING ACCESSIBILITY PLAN
- 4022 EXISTING SECURITY PLAN
- 4023 EXISTING SUSTAINABILITY PLAN
- 4024 EXISTING GREEN BUILDING PLAN
- 4025 EXISTING WELLNESS PLAN
- 4026 EXISTING SMART HOME PLAN
- 4027 EXISTING AUTOMATION PLAN
- 4028 EXISTING INTEGRATED SYSTEMS PLAN
- 4029 EXISTING USER EXPERIENCE PLAN
- 4030 EXISTING DATA MANAGEMENT PLAN
- 4031 EXISTING CYBERSECURITY PLAN
- 4032 EXISTING DISASTER RECOVERY PLAN
- 4033 EXISTING BUSINESS CONTINUITY PLAN
- 4034 EXISTING RISK MANAGEMENT PLAN
- 4035 EXISTING COMPLIANCE PLAN
- 4036 EXISTING GOVERNANCE PLAN
- 4037 EXISTING ETHICS PLAN
- 4038 EXISTING DIVERSITY AND INCLUSION PLAN
- 4039 EXISTING COMMUNITY ENGAGEMENT PLAN
- 4040 EXISTING PARTNER ENGAGEMENT PLAN
- 4041 EXISTING SUPPLIER ENGAGEMENT PLAN
- 4042 EXISTING CUSTOMER ENGAGEMENT PLAN
- 4043 EXISTING EMPLOYEE ENGAGEMENT PLAN
- 4044 EXISTING LEADERSHIP DEVELOPMENT PLAN
- 4045 EXISTING TALENT ACQUISITION PLAN
- 4046 EXISTING LEARNING AND DEVELOPMENT PLAN
- 4047 EXISTING PERFORMANCE MANAGEMENT PLAN
- 4048 EXISTING HUMAN CAPITAL MANAGEMENT PLAN
- 4049 EXISTING ORGANIZATIONAL DESIGN PLAN
- 4050 EXISTING STRATEGIC HUMAN CAPITAL PLAN

GENERAL NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL FINISHES ARE TO BE AS SHOWN ON THE DRAWINGS. FINISHES NOT SHOWN ARE TO BE AS SHOWN ON THE SPECIFICATIONS.
3. ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL BE AS SHOWN ON THE DRAWINGS. MATERIALS AND METHODS NOT SHOWN ARE TO BE AS SHOWN ON THE SPECIFICATIONS.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND REGULATIONS.
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MANUFACTURER'S INSTRUCTIONS.
6. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE ALARMS CODE (NFPA).
7. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL MECHANICAL EXAMINERS ASSOCIATION (IMCA) CODE.
8. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BOILER AND PRESSURE VESSEL CODE (IBR).
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PRELIMINARY

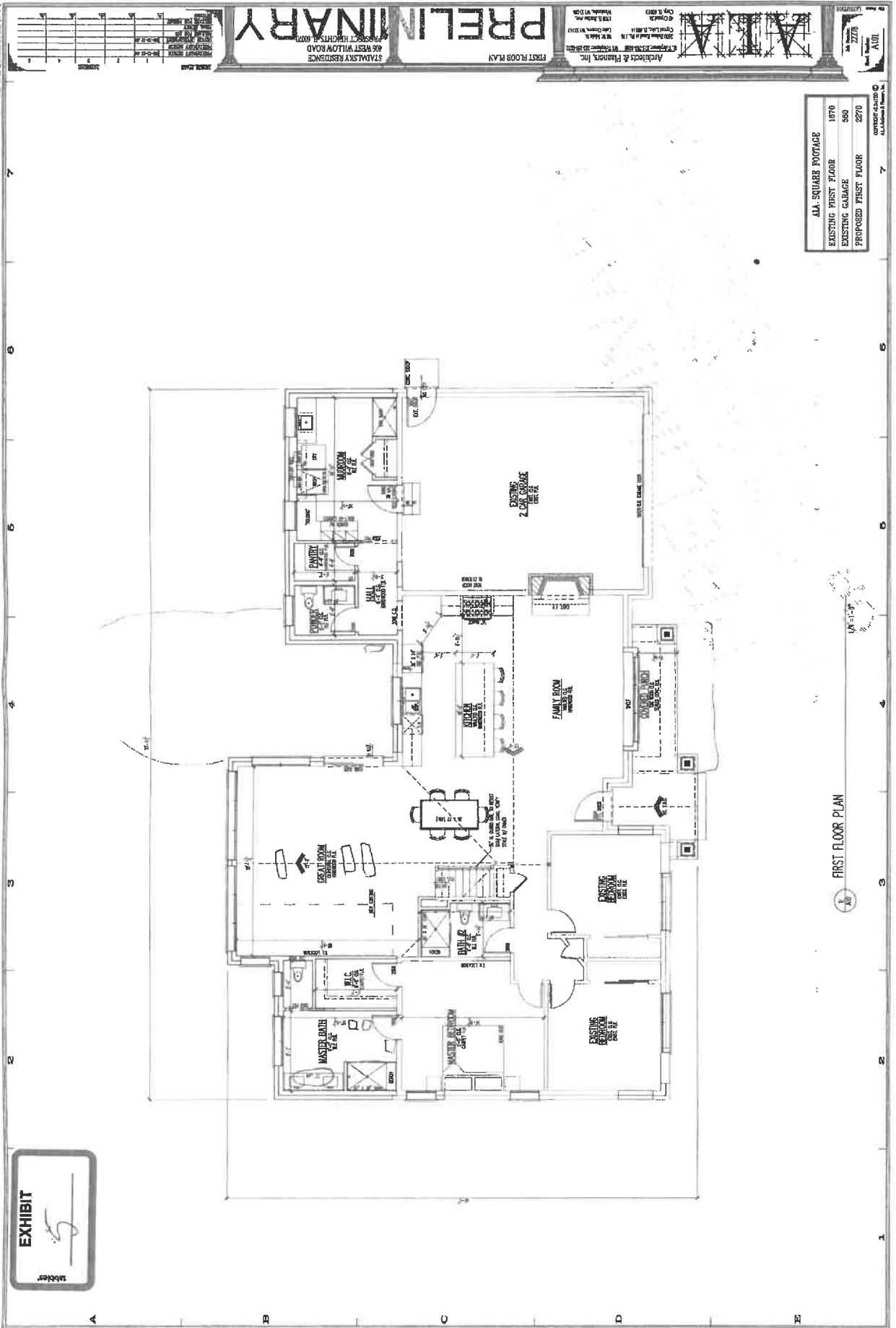
Architects & Planners, Inc.
1000 North Dearborn Street, Suite 1000
Chicago, Illinois 60610
Tel: (312) 329-1100
Fax: (312) 329-1101
www.aplinc.com

STADALSKY RESIDENCE
406 WEST WILLOW ROAD
PROSPECT HEIGHTS, ILLINOIS 60070

SITE PLAN
GENERAL NOTES

DATE: 08/15/2018
DRAWN BY: J. SMITH
CHECKED BY: M. STADALSKY
SCALE: AS SHOWN

EXHIBIT 5
 Sublot





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: January 31, 2023

To: Acting Mayor Dolick and City Council

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

Subject: ZBA Case No. 23-03 V – 406 W. Willow Rd.
Variation to Reduce Required Side Yard Setback for an Addition to a Legal Non-Conforming Residence.

Issue: Raymond & Maria Stadalsky, owners of the subject property, are seeking a variation to Section 5-6-1 E2 of the City of Prospect Heights Zoning Code to allow the reduction of the required setback from 15' to 12.35' and 13.09' for the construction of an addition to the rear of the existing legal non-conforming structure.

Background: The PZBA held a public hearing on January 26, 2023. The existing home constructed in the 1950s with a 12.35' and 13.09' side yard setbacks. The proposed addition will be in conformance with the existing house line and not encroach any further into the required interior side yards. The PZBA voted unanimously, 5-0, to recommend approval of the variation.

Applicants have requested a waiver of first reading and staff concurs.

Recommendation: Approve the waiver of first reading and Approve Ordinance No. O-23-03 Granting Certain Variations to the property located at 406 W. Willow Rd.



City of Prospect Heights

Department of Building & Zoning
8 North Elmhurst Road, Prospect Heights Illinois, 60070-6070
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MEMORANDUM

Date: December 20, 2022

To: Chairman Kempa and Planning/Zoning Board of Appeals

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

Subject: ZBA Case No. 23-03 V – Variation to Reduce Side Yard Setback for an Addition to a Legal Non-Conforming Home
406 W. Willow Rd.

Please be advised that Raymond & Maria Stadalsky, owners of the subject property, are seeking a variation to Section 5-6-1 E2 of the City of Prospect Heights Zoning Code to allow the reduction of the required setback from 15' to 12.35' for the construction of an addition to their single-family home a legal non-conforming structure.

The existing side yard setback is 12.35'. The home constructed prior to the City of Prospect Heights adopting a zoning code is legal non-conforming. The proposed addition to the rear of the house will be in conformance with the existing building and not encroach any further into the required side yard.

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

Thank you.