



**Village of Mount Prospect
Planning and Zoning Commission
Regular Meeting Agenda
50 S. Emerson St. Mount Prospect, IL 60056**

October 26, 2023

Village Hall - 3rd Floor Board Room

7:00 PM

1. CALL TO ORDER

2. APPROVAL OF MINUTES

2.1. PZ-15-23 / 19 N. Emerson St. / CU: Side-Yard Setback Reduction

2.2. PZ-16-23 / 139-143 W. Prospect Ave./ Off-Site Parking Agreement

2.3. PZ-13-23 / 1630-1638 W. Algonquin Road / CU - Daycare

3. NEW BUSINESS

3.1. PZ-14-23 / 2010 E. Camp McDonald Rd. / CU: Animal Hospital / Village Board Final

3.2. PZ-17-23 / 1803 E. Bittersweet Ln. / CU: Side-Yard Setback Reduction / Village Board Final

4. CITIZENS TO BE HEARD

5. QUESTIONS AND COMMENTS

6. ADJOURNMENT

ANY INDIVIDUAL WHO WOULD LIKE TO ATTEND THIS MEETING BUT BECAUSE OF A DISABILITY OR NEEDS SOME ACCOMMODATION TO PARTICIPATE, SHOULD CONTACT THE VILLAGE MANAGER'S OFFICE AT 847|392-6000, EXTENSION 5307

**MINUTES OF THE REGULAR MEETING OF THE
PLANNING & ZONING COMMISSION**

CASE NO. PZ-15-23 Hearing Date: September 28, 2023

PROPERTY ADDRESS: 19 N. Emerson Street

PETITIONER: Kevin Purdom, JRC Design Build

PROPERTY OWNER: Jason and Sara Raymond

PUBLICATION DATE: September 13, 2023

REQUEST: Conditional Use for a Side-Yard Setback Reduction

MEMBERS PRESENT: Joseph Donnelly
William Beattie
Thomas Fitzgerald
Ewa Weir
Greg Miller

MEMBERS ABSENT: Donald Olsen
Walter Szymczak
Norbert Mizwicki

STAFF MEMBERS PRESENT: Ann Choi – Development Planner
Mo Khan – Development Planner

INTERESTED PARTIES: None

Chairman Donnelly called the meeting to order at 7:01 PM. Commissioner Fitzgerald made a motion seconded by Commissioner Miller to approve the minutes from the Planning and Zoning Commission meeting on August 24, 2023. The minutes were approved 4-0 (Chairman Donnelly abstained).

Chairman Donnelly introduced the second item of business: Case PZ-15-23, 19 N. Emerson Street, a request for a conditional use for side-yard setback reduction for the principal structure.

Mr. Khan stated that the Petitioner and Property Owner are requesting a conditional use for a side-yard setback reduction to allow for a side-yard setback of 3.97 ft., whereas the minimum required is 5 ft. to construct a second-story addition above the existing attached garage.

Mr. Khan stated that the proposed addition will be another bedroom. Mr. Khan showed architectural renderings and floor plan for the proposed addition. Mr. Khan stated that the proposed addition meets all other zoning requirements with the exception of the side-yard setback, which is being requested.

Mr. Khan stated that the Staff finds the standards for conditional use have been met and for the Planning & Zoning Commission to adopt the staff's findings and approve the following motion:

1. "A conditional use per Sec. 14.604 to permit a second-story addition with a setback of 3.97 ft., whereas the minimum required is 5 ft. on the property located at 19 N. Emerson St., as shown on the plans submitted and attached to this request."

Mr. Khan stated that the Planning & Zoning Commission's decision is final for this case.

Commissioners asked the following questions of Staff:

1. Does the addition have to bump-out? The bump-out is not required from the zoning perspective but this is the desire of the homeowner and why the zoning request is being made.
2. Has there been a precedent for this type of request? One other conditional use has been requested but not the same request.
3. Is the only reason for the request is the bump-out? All other zoning requirements are being met and only request is the side-yard setback.

Chairman Donnelly swore in the Petitioner, Kevin Purdom, who is the architect for the project.

Mr. Purdom stated the need for the bedroom is due to the family circumstance. Mr. Purdom further stated that the bump-out will allow for a more traditional sized bedroom. Mr. Purdom stated that the design of the addition will match the design on the opposite side of the house.

The Commissioners discussed the proposed bedroom layout of the addition. Commissioner Weir asked if the addition is needed for furniture layout. Mr. Purdom stated that the bump-out is needed for furniture layout and meet the aesthetics of the exterior.

Chairman Donnelly swore in the Property Owner, Jason Raymond.

Mr. Raymond stated he talked to other neighbors of the property and are in support of it. Mr. Raymond further stated they received approval from the south side neighbor, which is impacted the most.

Hearing no further comments or questions, Chairman Donnelly closed the hearing and asked for a motion. Commissioner Fitzgerald made a motion seconded by Commissioner Miller to approve the following motion:

"A conditional use per Sec. 14.604 to permit a second-story addition with a setback of 3.97 ft., whereas the minimum required is 5 ft. on the property located at 19 N. Emerson St., as shown on the plans submitted and attached to this request."

UPON ROLL CALL

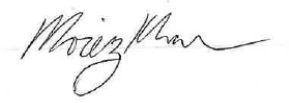
AYES: Fitzgerald, Beattie, Miller, Donnelly

NAYS: Weir

The motion was approved by a vote of 4-1.

Chairman Donnelly stated that it was Village Board Final and asked when the next Village Board meeting will be.

After hearing one more item of new business, Vice Chairman Beattie made a motion seconded by Commissioner Miller and the meeting was adjourned at 7:41 PM.



Mo Khan
Development Planner

**MINUTES OF THE REGULAR MEETING OF THE
PLANNING & ZONING COMMISSION**

CASE NO. PZ-16-23 Hearing Date: September 28, 2023

PROPERTY ADDRESS: 139-143 W. Prospect Ave.

PETITIONERS: Joyco & Aguado, Inc.

PUBLICATION DATE: N/A

REQUEST: Off-Site Parking Agreement

MEMBERS PRESENT: Joseph Donnelly
William Beattie
Thomas Fitzgerald
Ewa Weir
Greg Miller

MEMBERS ABSENT: Donald Olsen
Walter Szymczak
Norbert Mizwicki

STAFF MEMBERS PRESENT: Ann Choi – Development Planner
Mo Khan – Development Planner

INTERESTED PARTIES: _____

Chairman Donnelly called the meeting to order at 7:01 PM. Commissioner Fitzgerald made a motion seconded by Commissioner Miller to approve the minutes from the Planning and Zoning Commission meeting on August 24, 2023. The minutes were approved 4-0 (Chairman Donnelly abstained).

After hearing one item of business, Chairman Donnelly introduced the third item of business: Case PZ-16-23, an Off-site Parking Agreement at 139-143 W. Prospect Ave.

Mr. Khan presented plans for the project and stated the subject property is a two-story mixed use building with a restaurant and office space on the first floor and vacant office space on the second floor. The plans call for five residential rental units above the existing restaurant, Mia's Cantina. The five units would be comprised of one studio unit, three one-bedroom units, and one two-bedroom unit. The residential units would require six (6) parking spaces.

The parking spaces will be provided behind the subject property that will have signage stating the parking spaces are reserved for the residential units.

Mr. Khan stated that the Off-Site Parking agreement meets the requirements of the Zoning Ordinance and recommend approval of the Off-Site Parking agreement.

The Commission asked the following questions with the following responses by Mr. Khan:

1. Does the attached agreement clarify the parking spaces that will be reserved? The Off-Site Parking Agreement has a map exhibit showing the reserved parking spaces.
2. Is that all the parking in the rear of the subject property? There is additional parking in the alley behind the subject property.
3. Is a variance to allow residential on the second floor? Residential is allowed on the second floor and above in the B-5C zoning district.
4. How many bedrooms and parking spaces are required? There is one parking space provided per bedroom, which is six (6) parking spaces.
5. Are vehicles allowed to park overnight? Mr. Khan was unable to answer the question.

Chairman Donnelly swore in the Petitioner, Joy Aguado, and asked the following question:

1. Will the residential units be rental or condos? Units will be rentals.

Ms. Aguado provided a description of the project stating the previous property owner listed the property for sale and approached the Petitioner to purchase the property.

Hearing no further comments or questions, Chairman Donnelly closed the hearing and asked for a motion. Commissioner Weir made a motion seconded by Vice Chairman Beattie to approve the following motion:

“An Off-Site Parking Agreement per Sec. 14.2202-E between Joyco & Aguado, Inc and the Village of Mount Prospect to permit off-site parking per the attached agreement for the property located at 139-143 W. Prospect Ave.”

UPON ROLL CALL

AYES: Fitzgerald, Weir, Beattie, Miller, Donnelly

NAYS: None

The motion was approved by a vote of 5-0.

Vice Chairman Beattie mentioned that it was Village Board Final.

Hearing no more items of business, Vice Chairman Beattie made a motion seconded by Commissioner Miller and the meeting was adjourned at 7:41 PM.



Mo Khan
Development Planner

**MINUTES OF THE REGULAR MEETING OF THE
PLANNING & ZONING COMMISSION**

CASE NO. PZ-13-23 Hearing Date: September 28, 2023

PROPERTY ADDRESS: 1630-1638 W. Algonquin Road

PETITIONER: Mustafa Tahrán, Turkish American Society, Inc.

PROPERTY OWNER: Nancy and Cristofaro Pirrone

PUBLICATION DATE: September 13, 2023

REQUEST: Conditional Use for a Daycare Center

MEMBERS PRESENT: Joseph Donnelly
William Beattie
Thomas Fitzgerald
Ewa Weir
Greg Miller

MEMBERS ABSENT: Donald Olsen
Walter Szymczak
Norbert Mizwicki

STAFF MEMBERS PRESENT: Ann Choi – Development Planner
Mo Khan – Development Planner

INTERESTED PARTIES: Mustafa Tahrán

Chairman Donnelly called the meeting to order at 7:01 PM. Commissioner Fitzgerald made a motion seconded by Commissioner Miller to approve the minutes from the Planning and Zoning Commission meeting on August 24, 2023. The minutes were approved 4-0 (Chairman Donnelly abstained).

Chairman Donnelly introduced the first item of business: Case PZ-13-23, 1630-1638 W. Algonquin Road, a request for a conditional use for a daycare.

Ms. Choi stated that the Petitioner, Mustafa Tahrán of the Turkish American Society, is seeking conditional use approval to operate a daycare, Rose Academy, to occupy 6,000 square feet within an existing shopping center. Ms. Choi explained that the subject property, which occupies 1630-1632-1634-1638 W. Algonquin Road, is zoned B-3 Community Shopping.

Ms. Choi stated that as enrollment continues to fill to capacity at their current location at 501 Midway Drive, the Turkish American Society would like to open an off-site daycare center to accommodate their growing needs. Ms. Choi indicated that there are two existing playground areas at the subject property. Ms. Choi further stated that the proposed facility would serve 78 preschoolers aged 3-4 years old and 12 toddlers aged 1-2 years old for a total of 90 children, and would operate Monday through Friday, from 7:00 AM to 6:00 PM.

Ms. Choi explained that a previous conditional use for a daycare center was issued for “A Mother’s Touch” at the proposed location in 1994 which was subsequently amended twice; once in 1994 to expand the 2,400 square foot facility to 3,600 square feet, and then again in 1996 to expand the 3,600 square foot facility to 6,000 square feet to accommodate up to 97 children. Ms. Choi stated the property ownership was transferred to Safari Daycare which occupied the space from 2011 and closed sometime in late 2021/early 2022. Ms. Choi further stated that due to the cease in operations for more than 21 months, the conditional use has expired and requires the Petitioner to apply for a new conditional use permit.

Ms. Choi presented a slide of an enlarged site plan and explained that the Petitioner worked with staff to come up with a pick-up and drop-off procedure to eliminate any queuing in front of the daycare that might cause back-up on Algonquin Road. Ms. Choi explained that parents would be encouraged to park in any of the 13 parking spaces directly in front of the daycare center. Ms. Choi stated that according to the Petitioner, peak times for the pick-up and drop-off are from 8:00 AM to 8:20 AM and from 3:00 PM to 3:20 PM. Ms. Choi further stated that to ensure the well-being of the youngest children, two dedicated staff members would be available to escort the children between the parking spots and the daycare entrance. Ms. Choi noted that daycare staff would be encouraged to park south of the parking spaces for parents.

Ms. Choi stated that in addition to the drop-off and pick-up procedure, the Petitioner provided a procedure for walking children safely across a drive aisle to the east playground. Ms. Choi explained that children would exit through the door on the east side of the building and prior to the group’s departure, a staff member will secure the aisle gate. Ms. Choi stated that all children would maintain a firm grip on a designated walking rope, with a staff member leading at the front, facing the children, and walking backward, while another staff member would hold the opposite end of the rope, also facing the children. Ms. Choi indicated that the group would then follow the crosswalk for entry into the playground and after ensuring the safety of all children, a staff member would subsequently secure the playground gate and re-open the drive aisle gate. Ms. Choi explained that the same process would be carefully followed upon returning the children back to the building. Ms. Choi then presented photos of the safety gate and cross walk to the east playground.

Ms. Choi then presented a slide of the proposed floor plan and stated that the Petitioner does not intend to make any major renovations to the 6,000 square foot unit and intends to use the space as-is.

Ms. Choi then went onto explain the parking requirement for the daycare. Ms. Choi stated that the shopping center will meet the required parking by providing 105 parking spaces and of the 105 parking spaces provided, 23 parking spaces would be required for daycare drop-off and pick-up. Ms. Choi also stated that the shopping center is 64% occupied and with the addition of the daycare, the shopping center would be approximately 86% occupied. Ms. Choi noted that the shopping center has not reported any parking issues.

Ms. Choi stated that the proposal meets the conditional use standards and believes the proposed daycare center would not have an adverse impact on the public or adjacent properties. Ms. Choi further stated that the proposed daycare aligns with the objectives of the Comprehensive Plan as the daycare would provide childcare services available to the local community. Ms. Choi also noted that other departments reviewed the Petitioner’s proposal and did not object to the conditional use request. Ms.

Choi also stated that the conditional use would not be a detriment or endanger the welfare of the general public.

Ms. Choi concluded by stating that based on these findings, staff recommends that the Planning & Zoning Commission make a motion to adopt staff's findings as the findings of the Planning & Zoning Commission and recommend **approval** of the following motion:

"A conditional use permit allowing a daycare to operate at 1630-1638 W. Algonquin Road, as illustrated on the plans dated 07-18-2023 and 08-21-2023, subject to the following conditions:

- a) The proposed business shall be licensed by the State of Illinois as a daycare center. A copy of the license issued by the State of Illinois in order to operate a day care center in this location shall be placed on file with the Director of Community Development;
- b) Compliance with all applicable Village Code requirements, including, but not limited to, fire code and building regulations;
- c) The conditional use permit granted herein shall apply to the area identified as 1630-1638 West Algonquin Road and that an amendment to this conditional use shall be required prior to any future expansion of this daycare center;
- d) Parents of children shall park in the north bank of parking spaces closest to the daycare facility and employees shall park in the south bank of parking spaces; and
- e) The daycare shall follow the "Procedure for Walking to Eastern Playground" to safely walk children across the drive aisle to the east playground."

Ms. Choi stated that the Village Board's decision is final for this case.

Chairman Donnelly asked if there were any questions for staff.

Commissioner Weir asked if the purpose of the drive aisle is for trash retrieval. Ms. Choi responded that it is used for fire and service. Vice Chairman Beattie asked if the residents to the north of the shopping center use the drive aisle to get from Dempster Street to Algonquin Road. Chairman Donnelly responded that it is possible to use the drive aisle as a shortcut but it is not conducive for vehicles who want to make a left turn onto Algonquin Road. Chairman Donnelly stated that the drive aisle probably does not get much traffic. Ms. Choi stated that on the occasions she was on-site to do parking counts, she did not see any traffic coming down that drive aisle. Chairman Donnelly also stated he did not see any traffic but confirmed that the drive aisle is connected to the property to the north.

Commissioner Weir asked if staff knows if the building meets the state requirements for a daycare.

Ms. Choi answered that the Petitioner would be able to provide more information as they are working with the state.

Chairman Donnelly asked if there were any other comments or questions from the commissioners and there were none.

Chairman Donnelly swore in the Petitioner, Mustafa Tahrán, Turkish American Society, 501 Midway Drive, Mount Prospect, IL.

Chairman Donnelly asked the Petitioner to explain what they are looking to do with the subject property.

Mr. Tahrán explained that he was previously the Assistant Director of the private school at the Turkish American Society and that he left his position to momentarily work on the daycare project.

Chairman Donnelly asked the Petitioner if he knows of any traffic on the drive aisle.

Mr. Tahrán responded that he did not observe any traffic besides a dumpster truck and that other cars do not use the drive aisle frequently.

Chairman Donnelly asked if the Petitioner is working with the state for licensure. Mr. Tahrán responded that he started the process with the state one month ago and met with the area's state representative (Alex Medina) from the Department of Children and Family Services on August 25th at the proposed location. According to Mr. Tahrán, DCFS explained that as soon as Village Board approval is obtained, DCFS would then accept the state license application and probably within 2 to 3 months, the licensing will be issued.

Chairman Donnelly asked how soon the daycare would be open. Mr. Tahrán responded that they would plan to move in January when the second semester begins.

Chairman Donnelly asked where they would be moving from. Mr. Tahrán responded that their current program is run at 501 Midway Drive and currently 65 students are enrolled. Mr. Tahrán stated that the state would first issue a permit after observing the daycare operations for six months, and then the full license would be issued to operate. Mr. Tahrán stated he is expecting to get the full license from the state by the end of the year.

Vice Chairman Beattie asked what the limit is for the number of students for a 6,000 square foot facility. Ms. Choi stated that the number is limited to 90 children due to the parking requirement but that the playground area also further limited the number of students per the state requirements. Ms. Choi deferred to the Petitioner on this issue. Mr. Tahrán recalled that 35 square feet per student is required for the interior space and 70 square feet is required for the playground space, and 80 to 90 children is feasible for the space, but because of the parking limitation, more than 90 children will not be feasible at this location. Vice Chairman Beattie stated that it sounds like the 90 children limitation is something the daycare can work with easily.

Hearing no further comments or questions, Chairman Donnelly closed the hearing and asked for a motion. Commissioner Weir made a motion seconded by Commissioner Miller to approve the following motion:

"A conditional use permit allowing a daycare to operate at 1630-1638 W. Algonquin Road, as illustrated on the plans dated 07-18-2023 and 08-21-2023, subject to the following conditions:

- a) The proposed business shall be licensed by the State of Illinois as a daycare center. A copy of the license issued by the State of Illinois in order to operate a day care center in this location shall be placed on file with the Director of Community Development;
- b) Compliance with all applicable Village Code requirements, including, but not limited to, fire code and building regulations;

- c) The conditional use permit granted herein shall apply to the area identified as 1630-1638 West Algonquin Road and that an amendment to this conditional use shall be required prior to any future expansion of this daycare center;
- d) Parents of children shall park in the north bank of parking spaces closest to the daycare facility and employees shall park in the south bank of parking spaces; and
- e) The daycare shall follow the "Procedure for Walking to Eastern Playground" to safely walk children across the drive aisle to the east playground."

UPON ROLL CALL

AYES: Fitzgerald, Weir, Beattie, Miller, Donnelly

NAYS: None

The motion was approved by a vote of 5-0.

Chairman Donnelly stated that it was Village Board Final and asked when the next Village Board meeting will be.

Ms. Choi answered that the next Village Board meeting will be October 17th for the first reading.

After hearing two more items of new business, Vice Chairman Beattie made a motion seconded by Commissioner Miller and the meeting was adjourned at 7:41 PM.



Ann Choi
Development Planner



Item Cover Page

Subject	PZ-14-23 / 2010 E. Camp McDonald Rd. / CU: Animal Hospital / Village Board Final
Meeting	October 26, 2023 - REGULAR MEETING OF THE MOUNT PROSPECT PLANNING AND ZONING COMMISSION
Fiscal Impact (Y/N)	N/A
Dollar Amount	N/A
Budget Source	N/A
Category	NEW BUSINESS
Type	Action Item

Information

The subject property was annexed into the Village in 1971 and is improved with a one-story commercial building that is approximately 3,150 sq. ft. and surface parking lot.

The subject property is located near the northwest corner of East Camp McDonald and River Roads.

The subject property was granted a special use to operate a "small animal clinic on an outpatient basis only" in 1978, see attached Ordinance #2778.

Section 3 of Ordinance #2778 stated that the special use does not run with the land and is in effect only when the subject property is owned by Dr. T.A. Osborn. Since the granting of the initial special use the property has been purchased by another party and is no longer under the ownership of Dr. T.A. Osborn.

Ordinance #2778 also placed the following conditions on the approval:

1. No boarding of animals shall be allowed on the premises.
2. No outdoor kennels or runs shall be allowed on the premises.
3. No crematorium shall be allowed on the premises.

An animal hospital business has been operating at the subject property since the initial special use was granted. Companion Animal Hospital has been in operation at the subject property since 2018. The business was recently purchased by Midwest Veterinary Hospitals and submitted a new business license application in May 2023. During staff's review of the business license application, the original ordinance granting the special use was found, which

restricted the approval to the original property owner.

In order to have a current conditional use approval for the subject property, Village staff directed the new business to apply for a conditional use permit.

Discussion

The petitioner operates an animal hospital/veterinary clinic at the subject property and began operation in 2018.

An animal hospital/veterinary clinic is permitted as a conditional use in the B-3: Community Shopping zoning district per Section 14.604 of the Zoning Ordinance.

Per the Petitioner, the current use has been in operation for several decades and there will be no changes to previously approved land use.

The Petitioner has submitted written responses to the conditional use standards which is attached to this report as an exhibit.

Staff finds that the standards for a conditional use have been met. Staff's findings are summarized below:

- The proposed conditional use will not be detrimental or injurious to the general welfare or adjacent subject properties, as the use has been in operation since 1978 and no code violations/complaints have been made. The proposed conditional use has not impeded the development of surrounding properties. The proposed conditional use is consistent with the Comprehensive Plans and conforms to all applicable Village Codes.

As of this writing, Staff has not received any public comments.

Alternatives

1. To recommend approval of the following motion: "A conditional use per Section 14.604 to permit an animal hospital/veterinary clinic on the property located at 2010 E. Camp McDonald Rd as shown on the plans submitted and attached to this request and subject to the conditions listed in the staff report."
2. Action at the discretion of the Planning & Zoning Commission.

Staff Recommendation

Approval of the following motion:

"A conditional use per Section 14.604 to permit an animal hospital/veterinary clinic on the property located at 2010 E. Camp McDonald Rd as shown on the plans submitted and attached to this request and subject to the conditions listed in the staff report."

Attachments

1. 1_Staff Report_PZ-14-23_2010 E Camp McDonald_Companion Animal Hospital
2. 2_Administrative Content_PZ-14-23_2010 E Camp McDonald_Companion Animal

Hospital

3. 3_Plans_PZ-14-23_2010 E Camp McDonald_Companion Animal Hospital
4. 4_Ord. 2778_PZ-14-23_2010 E Camp McDonald_Companion Animal Hospital



STAFF REPORT FROM THE DEPARTMENT OF Community Development

William J. Cooney, AICP
Director of Community Development

Mo Khan
Development Planner

DATE: October 20, 2023

CASE NUMBER
PZ-14-23

APPLICANT/PROPERTY OWNER
Midwest Veterinary Hospitals, PLLC /
Shore Capital Real Estate Partners Holdco, LLC
PROPERTY ADDRESS/LOCATION
2010 E. Camp McDonald Rd.

PUBLIC HEARING DATE
October 26, 2023

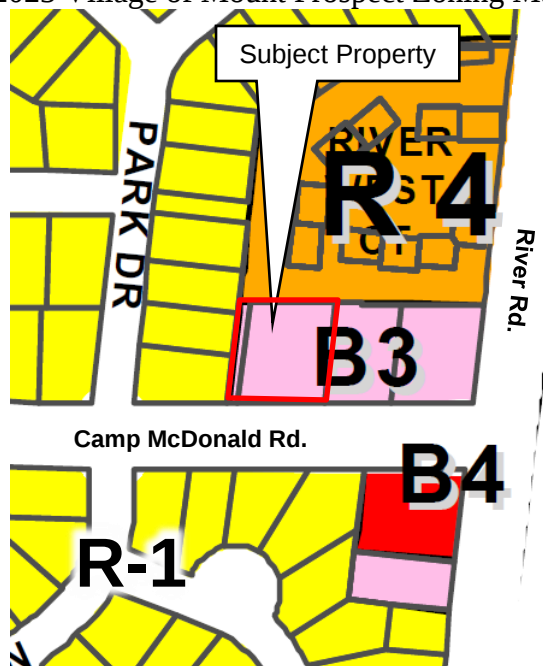
BRIEF SUMMARY OF REQUEST

The petitioner is seeking a conditional use per Sec. 14.604 to operate an “animal hospital and veterinary clinic” at the property located at 2010 E. Camp McDonald Rd.

2021 Aerial Image



2023 Village of Mount Prospect Zoning Map



EXISTING ZONING	EXISTING LAND USE/SITE IMPROVEMENTS	SURROUNDING ZONING & LAND USE	SIZE OF PROPERTY
B-3 Community Shopping	One-Story Commercial Building	North: R-4 Multi-Family Residential East: B-3 Community Shopping South: R-1 Single Family Residential West: R-1 Single Family Residential	0.47 Acres

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

DISCUSSION OF PROPOSAL

BACKGROUND / PROPERTY HISTORY

The subject property was annexed into the Village in 1971 and is improved with a one-story commercial building that is approximately 3,150 sq. ft. and surface parking lot.

The subject property is located near the northwest corner of East Camp McDonald and River Roads.

The subject property was granted a special use to operate a “small animal clinic on an outpatient basis only” in 1978, see attached Ordinance #2778.

Section 3 of Ordinance #2778 stated that the special use does not run with the land and is in effect only when the subject property is owned by Dr. T.A. Osborn. Since the granting of the initial special use the property has been purchased by another party and is no longer under the ownership of Dr. T.A. Osborn.

Ordinance #2778 also placed the following conditions on the approval:

1. No boarding of animals shall be allowed on the premises.
2. No outdoor kennels or runs shall be allowed on the premises.
3. No crematorium shall be allowed on the premises.

An animal hospital business has been operating at the subject property since the initial special use was granted. Companion Animal Hospital has been in operation at the subject property since 2018. The business was recently purchased by Midwest Veterinary Hospitals and submitted a new business license application in May 2023. During staff’s review of the business license application, the original ordinance granting the special use was found, which restricted the approval to the original property owner.

In order to have a current conditional use approval for the subject property, Village staff directed the new business to apply for a conditional use permit.

PROPOSAL

The petitioner operates an animal hospital/veterinary clinic at the subject property and began operation in 2018.

An animal hospital/veterinary clinic is permitted as a conditional use in the B-3: Community Shopping zoning district per Section 14.604 of the Zoning Ordinance.

CONDITIONAL USE STANDARDS

The standards for a conditional use are listed in Section 14.203.F.8 of the Village Zoning Ordinance and include seven specific standards that must be met to approve a conditional use. The following list is a summary of these findings:

1. The conditional use will not be detrimental to the public health, safety, morals, comfort, or general welfare.
2. The conditional use will not be injurious to the uses and property in the immediate vicinity.
3. The conditional use will not impede development of surrounding properties.
4. The conditional use is provided with adequate public utilities, access roads and drainage.
5. The conditional use is provided with ingress/egress as to minimize traffic congestion on public streets.
6. The conditional use is consistent with the Comprehensive Plan.
7. The conditional use conforms to all applicable Village codes for the zoning district the subject property is located.

Per the Petitioner, the current use has been in operation for several decades and there will be no changes to previously approved land use.

The Petitioner has submitted written responses to the conditional use standards which is attached to this report as an exhibit.

Staff finds that the standards for a conditional use have been meet. Staff’s findings are summarized below:

- The proposed conditional use will not be detrimental or injurious to the general welfare or adjacent subject properties, as the use has been in operation since 1978 and no code violations/complaints have been made. The proposed conditional use has not impeded the development of surrounding properties. The proposed conditional use is consistent with the Comprehensive Plans and conforms to all applicable Village Codes.

PUBLIC COMMENTS

As of this writing, Staff has not received any public comments.

STAFF RECOMMENDATION

Staff finds that the standards for conditional use have been met as the use has not been injurious or detrimental to the public health, safety, morals, or general welfare. The use has not impacted the development of or use of the properties in the surrounding area. The proposed use is consistent with the Comprehensive Plan and meets all applicable Village Codes.

Based on these findings, staff recommends that the Planning and Zoning Commission make a motion to adopt staff’s findings as the findings of the Planning and Zoning Commission and **approve** the following motion:

1. “A conditional use per Section 14.604 to permit an animal hospital/veterinary clinic on the property located at 2010 E. Camp McDonald Rd as shown on the plans submitted and attached to this request and subject to the following conditions of approval:
 - a. That there shall be no boarding of animals upon the premises.
 - b. That there shall be no outdoor kennels or runs upon the premises.
 - c. That there shall be no crematorium upon the premises.”

The Village Board’s decision is final for this case.

ATTACHMENTS:

ADMINISTRATIVE CONTENT

(Zoning Request Application,
Responses to Standards, etc.)

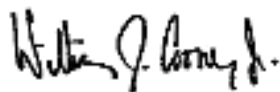
PLANS

(Plat of Survey, Site
Plan, etc.)

OTHER

(Supplemental
Information, Public
Comments
Received, etc.)

I concur:



William J. Cooney, AICP
Director of Community Development



Village of Mount Prospect
Community Development Department
50 S. Emerson Street
Mount Prospect, Illinois 60056
Phone: (847) 818-5328

Zoning Request Application

Official Use Only (To be completed by Village Staff)

Case Number: P&Z - 14 - 23 Date of Submission: 8/11/2023 Hearing Date: 10/26/2023
Project Name/Address: Companion Animal Hospital - Conditional Use Request

I. Subject Property

Address(es): 2010 East Camp McDonald Rd. Mount Prospect, IL 60056
Zoning District (s): B3 Property Area (Sq.Ft. and/or Acreage): 3617
Parcel Index Number(s) (PIN(s)): 03-24-416-028

II. Zoning Request(s) (Check all that apply)

- ☒ Conditional Use: For Veterinary Services
☐ Variation(s): To _____
☐ Zoning Map Amendment: Rezone From _____ To _____
☐ Zoning Text Amendment: Section(s) _____
☐ Other: _____

III. Summary of Proposal (use separate sheet if necessary)

Veterinary Services - no change

Change of ownership to business only

IV. Applicant (all correspondence will be sent to the applicant)

Name: Dan Markwalder, DVM Corporation: Midwest Veterinary Hospitals, PLLC
Address: 20450 Civic Center Dr.
City, State, ZIP Code: Southfield, MI 40876
Phone: 248-234-4375 Email: jackie.rannells@mvetpartners.com
Interest in Property: Owner - CVO
(e.g. owner, buyer, developer, lessee, architect, etc...)

V. Property Owner☐ Check if Same as ApplicantName: Shore Capital Real Estate Partners Holdco, LLC Corporation: Shore Capital Real Estate Partners Holdco, LLCAddress: 1 E. Wacker Dr #2900City, State, ZIP Code: Chicago, IL 60601Phone: (312) 348-7580 Email: aboudjemai@shorecp.com

In consideration of the information contained in this petition as well as all supporting documentation, it is requested that approval be given to this request. The applicant is the owner or authorized representative of the owner of the property. The petitioner and the owner of the property grant employees of the Village of Mount Prospect and their agent's permission to enter on the property during reasonable hours for visual inspection of the subject property.

I hereby affirm that all information provided herein and in all materials submitted in association with this application are true and accurate to the best of my knowledge.

Applicant: _____

Date: _____

(Signature)

(Print or Type Name)

If applicant is not property owner:

I hereby designate the applicant to act as my agent for the purpose of seeking the zoning request(s) described in this application and the associated supporting material.

Property Owner: _____

Date: 8/7/2023

(Signature)

Stephen R Melley
(Print or Type Name)

V. Property Owner☐ Check if Same as ApplicantName: Shore Capital Real Estate Partners Holdco, LLC Corporation: Shore Capital Real Estate Partners Holdco, LLCAddress: 1 E. Wacker Dr #2900City, State, ZIP Code: Chicago, IL 60601Phone: (312) 348-7580Email: aboudjemai@shorecp.com

In consideration of the information contained in this petition as well as all supporting documentation, it is requested that approval be given to this request. The applicant is the owner or authorized representative of the owner of the property. The petitioner and the owner of the property grant employees of the Village of Mount Prospect and their agent's permission to enter on the property during reasonable hours for visual inspection of the subject property.

I hereby affirm that all information provided herein and in all materials submitted in association with this application are true and accurate to the best of my knowledge.

Applicant: _____

(Signature)

Date: 8/7/2023DANIEL MARKWAUDEN
(Print or Type Name)

If applicant is not property owner:

I hereby designate the applicant to act as my agent for the purpose of seeking the zoning request(s) described in this application and the associated supporting material.

Property Owner: _____

(Signature)

Date: 8/7/2023Stephen R. Melley
(Print or Type Name)

Affidavit of Ownership

COUNTY OF COOK)
)
STATE OF ILLINOIS)

I, Stephen Malley, under oath, state that I am
(print name)

- ☐ the sole owner of the property
☐ an owner of the property
☒ an authorized officer for the owner of the property

commonly described as Shore Capital Real Estate Partners HoldCo, LLC
(property address and PIN)

Address: 2010 East Camp McDonald Rd. Mount Prospect, IL 60056; PIN: 03-24-416-028

and that such property is owned by Shore Capital Real Estate Partners HoldCo, LLC as of this date.
(print name)

[Signature]
Signature

Subscribed and sworn to before

me this 7th day of
August, 2023.

[Signature]
Notary Public



TOTAL PAYMENT DUE		2022 First Installment Property Tax Bill - Cook County Electronic Bill						
By 09/01/23	\$0.00	Property Index Number (PIN)	Volume	Code	Tax Year	(Payable In)	Township	Classification
		03-24-416-028-0000	233	38087	2022	(2023)	WHEELING	5-17
IF PAYING LATE, PLEASE PAY	09/02/2023 - 10/01/2023		10/02/2023 - 11/01/2023		11/02/2023 - 12/01/2023		LATE INTEREST IS 1.5% PER MONTH, BY STATE LAW	
	\$0.00		\$0.00		\$0.00			

TAXING DISTRICT DEBT AND FINANCIAL DATA

Your Taxing Districts	Money Owed by Your Taxing Districts	Pension and Healthcare Amounts Promised by Your Taxing Districts	Amount of Pension and Healthcare Shortage	% of Pension and Healthcare Costs Taxing Districts Can Pay
Northwest Mosquito Abatement Wheeling	\$1,080,667	\$7,960,421	-\$824,317	110.36%
Metro Water Reclamation Dist of Chicago	\$3,327,854,000	\$3,020,080,000	\$1,168,985,000	61.29%
River Trails Park Dist Prospect Heights	\$9,992,525	\$9,344,992	-\$346,837	103.71%
Harper Coll Comm College 512 (Palatine)	\$385,967,009	\$71,570,388	\$71,570,388	0.00%
Township HS District 214 (Arlington Hts)	\$174,084,349	\$270,533,348	-\$10,941,244	104.04%
Community Consolidated SD 21 (Wheeling)	\$58,321,003	\$62,169,625	\$14,820,634	76.16%
Village of Mount Prospect	\$168,137,977	\$365,344,346	\$99,691,444	72.71%
Town of Wheeling	\$12,813	\$5,287,671	\$0	100.00%
Cook County Forest Preserve District	\$233,103,051	\$540,107,634	\$328,420,280	39.19%
County of Cook	\$8,019,310,814	\$29,739,673,504	\$17,090,063,066	42.53%
Total	\$12,377,864,208	\$34,092,071,929	\$18,761,438,414	

For a more in-depth look at government finances and how they affect your taxes, visit [cookcountytreasurer.com](https://www.cookcountytreasurer.com)

PAY YOUR TAXES ONLINE

Pay at [cookcountytreasurer.com](https://www.cookcountytreasurer.com) from your bank account or credit card.

TAX CALCULATOR			IMPORTANT MESSAGES	
2021 TOTAL TAX		39,444.51		
2022 ESTIMATE	X	55%		
2022 1st INSTALLMENT	=	21,694.48		
The First Installment amount is 55% of last year's total taxes. All exemptions, such as homeowner and senior exemptions, will be reflected on your Second Installment tax bill.				
			PROPERTY LOCATION	MAILING ADDRESS
			2010 E CAMP MCDONALD RD MOUNT PROSPECT IL 60056	SHORE CAPITAL REAL EST 1 E WACKER DR STE 2900 CHICAGO IL 606012026

*** Please see 2022 First Installment Payment Coupon next page ***

2022 First Installment Property Tax Bill

Cook County Payment Coupon

Pursuant to Cook County Ordinance 07-O-68, if you are a mortgage lender, loan servicer, or agent of any entity within the meaning of 35 ILCS 200/20-12, you may not pay using a downloadable tax bill unless you pay the \$5 duplicate bill fee.

DETACH & INCLUDE WITH PAYMENT

TOTAL PAYMENT DUE		IMPORTANT PAYMENT MESSAGES		Property Index Number (PIN) 03-24-416-028-0000		T1LG Volume 233	
\$0.00		Cook County eBill		Amount Paid			
By 09/01/23 If paying later, refer to amounts above.		Click to pay online Click to update Mailing Name/Address					
SN 0020220100 RTN 500001075 AN (see PIN) TC 008922							

00202201000032441602800001008922400

**This is an Official Downloadable Tax Bill Payment Coupon.
Please process this coupon along with payment presented.**

**COOK COUNTY TREASURER
PO BOX 805436
CHICAGO IL 60680-4116**

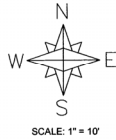
Response to Conditional Use Standards

1. This is an existing business with no changes. It has not been detrimental to or endangered public health, safety, morals, comfort or general welfare.
2. This is an existing business with no change. The condition has not been injurious to the uses/enjoyment of other property, nor diminish/impair property values in the neighborhood where it is located.
3. This is an existing business with no change. The conditional use will not impede the normal, orderly development and improvement of surrounding property.
4. This is an existing business with no change. All facilities have been provided.
5. This is an existing business with no change. Ingress/Egress has been designed to minimize traffic congestion in public streets.
6. This is an existing business with no change. Proposed conditional use is not contrary to the objectives of the current Comprehensive Plan for the village.
7. This is an existing business with no change. Conditional use shall conform to applicable regulations, except as such regulations be modified pursuant to the recommendations of the Planning and Zoning Commission.

PLAT OF SURVEY

-OF-

LOT 2 IN VENTURE RESUBDIVISION SUBDIVISION OF PART OF LOT "A" IN WOODVIEW MANOR, UNIT NO. 2 (ALSO KNOWN AS LOT 1 IN CENTERS SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



WOODVIEW MANOR UNIT 2
LOT 189



WOODVIEW MANOR UNIT 2
LOT 190

WOODVIEW MANOR UNIT 2
LOT 191

S05°36'45"W
Rec. 155.0' - Meas. 154.69'

WILLOW WOODS CONDOMINIUM
S89°43'04"W
Rec. 132.0' - Meas. 131.85'

Rec. 155.0' - Meas. 154.86'
N05°36'10"E

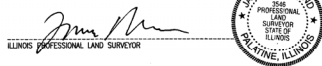
Rec. 132.0' - Meas. 131.86'
S89°47'38"W

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
COMPARE YOUR POINTS BEFORE BUILDING BY THE SAME AND REPORT ANY DIFFERENCES IMMEDIATELY.
CHECK LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY. REFER TO TITLE POLICY OR VILLAGE ZONING CODE FOR POSSIBLE ADDITIONAL EASEMENTS OR BUILDING LINES NOT SHOWN HEREON.

STATE OF ILLINOIS
COUNTY OF COOK

I, JASON R. DOLAND, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED, UNDER MY SUPERVISION, IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
DATED AT PALATINE, ILLINOIS 06/02/14



CAMP MCDONALD ROAD

DOLAND ENGINEERING, LLC
- CIVIL ENGINEERING - LAND SURVEYING - LAND PLANNING -
334 E. COLPAX STREET, SUITE C,
PALATINE, ILLINOIS 60067
(847) 991-5088 (847) 934-3427-FAX



FILED
VILLAGE OF
MT. PROSPECT

AUG 27 2014



AN ORDINANCE GRANTING A SPECIAL USE FOR PROPERTY
LOCATED AT 2010 CAMP MC DONALD ROAD

WHEREAS, the Zoning Board of Appeals of the Village of Mount Prospect did meet on the 2nd day of February, 1978, at the hour of 8:00 p.m., at the Public Safety Building Boardroom and did hear Case No. 8-SU-78, pursuant to proper legal notice; and

WHEREAS, the Zoning Board of Appeals of the Village of Mount Prospect did hear this request to permit a small animal clinic to be located upon the property which is the subject matter of Case No. 8-SU-78;

WHEREAS, the Zoning Board of Appeals of the Village of Mount Prospect did recommend to the Building Committee of the Board of Trustees of the Village of Mount Prospect the approval of this request under Case No. 8-SU-78; and

WHEREAS, the Building Committee of the Board of Trustees of the Village of Mount Prospect did meet on March 8, 1978, and did review the recommendations of the Zoning Board of Appeals in Case No. 8-SU-78; and

WHEREAS, the Building Committee of the Board of Trustees of the Village of Mount Prospect have recommended that the Board of Trustees of the Village of Mount Prospect concur in the recommendations of the Zoning Board of Appeals under said Case No. 8-SU-78; and

WHEREAS, the President and Board of Trustees of the Village of Mount Prospect have reviewed the matter herein and have determined that the same is in the best interests of the Village of Mount Prospect;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MOUNT PROSPECT, COOK COUNTY, ILLINOIS:

SECTION ONE: That the property being the subject matter of Case No. 8-SU-78, being legally described as follows:

Lot 1 of the Center Subdivision being a Subdivision of that part of Lot A bounded by a line described as follows: Beginning at a point on the South line of said Lot "A", 185.0 feet West of the Southeast corner of said Lot and running thence West along said South line, 172.0 feet; thence Northerly parallel with the Easterly line of said Lot "A", 155.0 feet; thence East parallel with said South line of Lot "A", 172.0 feet; thence Southerly parallel with the Easterly line of said Lot "A", 155.0 feet to the place of beginning in Woodview Manor, Unit No. 2, being a subdivision of part of the Southeast 1/4 of Section 24, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois,

is currently zoned under the Zoning Ordinance of the Village of Mount Prospect as E-3 (Business-Retail and Service District), which zoning classification shall remain in full force and effect - provided that, pursuant to Article VII of the Mount Prospect Zoning Ordinance, a special use permit is hereby granted to allow the premises to be used for a small animal clinic on an outpatient basis only, in accordance with the following conditions:

- (a) That there shall be no boarding of animals upon the premises;
- (b) That there shall be no outdoor kennels or runs upon the premises;

Exhibit I

S I T E P L A N

SCALE:

2778

(c) That there shall be no crematorium upon the premises; and

(d) That the building and its appurtenances to be located upon the premises shall be constructed and located in accordance with the site plan attached hereto and hereby made a part hereof as Exhibit I.

SECTION TWO: That the special use authorized to be established in SECTION ONE hereinabove shall be valid and effective only upon the performance and continuous maintenance thereof in accordance with all other laws and ordinances of the Village of Mount Prospect and State of Illinois.

SECTION THREE: That the special use permit authorized in SECTION ONE hereinabove shall not run with the land, but shall be limited to that period of time wherein the subject property is operated and maintained as a small animal clinic in accordance with the terms and conditions of SECTION ONE hereinabove and that period of time the subject property is owned by Dr. T. A. Osborn.

SECTION FOUR: That the Village Clerk shall and he is hereby authorized to record, at the petitioner's expense, a certified copy of this Ordinance with the Cook County Recorder of Deeds and/or the Registrar of Titles of Cook County, Illinois, as the case may be.

SECTION FIVE: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

AYES: 6

NAYS: 0

ABSENT: 0

PASSED this 4th day of April, 1978.

APPROVED this 4th day of April, 1978.

APPROVED:

Carolyn H. Krause
Village President

ATTEST:

Donald W. Garrison
Village Clerk

-2-

Exhibit I

S I T E P L A N

SCAL

2778



Item Cover Page

Subject	PZ-17-23 / 1803 E. Bittersweet Ln. / CU: Side-Yard Setback Reduction / Village Board Final
Meeting	October 26, 2023 - REGULAR MEETING OF THE MOUNT PROSPECT PLANNING AND ZONING COMMISSION
Fiscal Impact (Y/N)	N/A
Dollar Amount	N/A
Budget Source	N/A
Category	NEW BUSINESS
Type	Action Item

Information

The petitioner is seeking a conditional use per Sec. 14.604 for a side-yard setback reduction at 1803 E. Bittersweet Ln. to construct a shed three feet (3') from the interior property line, whereas five feet (5') is required.

The subject property was annexed into the Village in 1971 and the current improvements consist of a two-story single-family residence with an attached two-car garage and patio.

The subject property is located near the southeast corner of Quince and Bittersweet Lanes and is zoned R-1: Single-Family Residential.

Discussion

The petitioner proposes to construct a 40 ft.² shed setback 3' from the interior lot line. A conditional use is being request as the proposed shed location does not meet the 5' setback requirement per Sec. 14.306-B-2-b. Sec. 14.604 permits side-yard setback reduction for structures in the R-X, R-1, and R-A zoning districts as a conditional use.

A conditional use is being requested from the following code section:

1. Sec. 14.604: Setback reductions in all required yards. The proposed shed will be setback 3 ft. from the interior lot line, whereas a minimum setback of 5 ft. is required.

Per the Petitioner, there are several conditions on the subject property preventing the shed from being located 5 ft. from the property line as required by the Zoning Ordinance. The conditions include an irregular shaped lot that has a narrower backyard, existing vegetation in the south and west corners of the lot, above ground and underground utility lines extending from the southwest corner of the lot, and an underground sprinkler system that is located

approximately 7 ft. from the interior lot line.

The Petitioner has submitted written responses to the conditional use standards which is attached to this report as an exhibit.

Staff finds that the standards for a conditional use have been met. Staff's findings are summarized below:

- The proposed conditional use will not be detrimental or injurious to the general welfare or adjacent subject properties, as a shed is a common accessory structure in a residential zoning district and sheds have minimal impact. The proposed shed does not require any utility, access roads, ingress/egress. The proposed conditional use will be consistent with the Comprehensive Plan and the development of the area as it will maintain the existing residential use of the subject property.

As of this writing, Staff has not received any public comments.

Alternatives

1. To recommend approval of the following motion: "A conditional use per Sec. 14.604 to permit a shed to be setback 3 ft. from the interior property line, whereas the minimum setback required is 5 ft. on the property located 1803 E. Bittersweet Ln., as shown on the plans submitted and attached to this request."
2. Action at the discretion of the Planning & Zoning Commission.

Staff Recommendation

Approval of the following motion:

"A conditional use per Sec. 14.604 to permit a shed to be setback 3 ft. from the interior property line, whereas the minimum setback required is 5 ft. on the property located 1803 E. Bittersweet Ln., as shown on the plans submitted and attached to this request."

Attachments

1. 1_Staff Report_PZ-17-23_1803 Bittersweet_CU_Chaiken Shed
2. 2_Administrative Content_PZ-17-23_1803 Bittersweet_CU_Chaiken Shed
3. 3_Plans_PZ-17-23_1803 Bittersweet_CU_Chaiken Shed



STAFF REPORT FROM THE DEPARTMENT OF Community Development

William J. Cooney, AICP
Director of Community Development

Mo Khan
Development Planner

DATE: October 20, 2023

CASE NUMBER
PZ-17-23

APPLICANT/PROPERTY OWNER
Eugene Chaiken

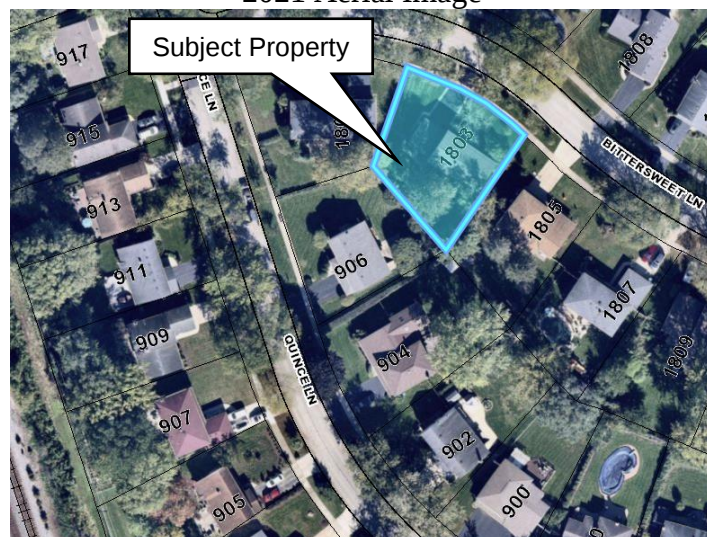
PUBLIC HEARING DATE
October 26, 2023

PROPERTY ADDRESS/LOCATION
1803 E. Bittersweet Ln.

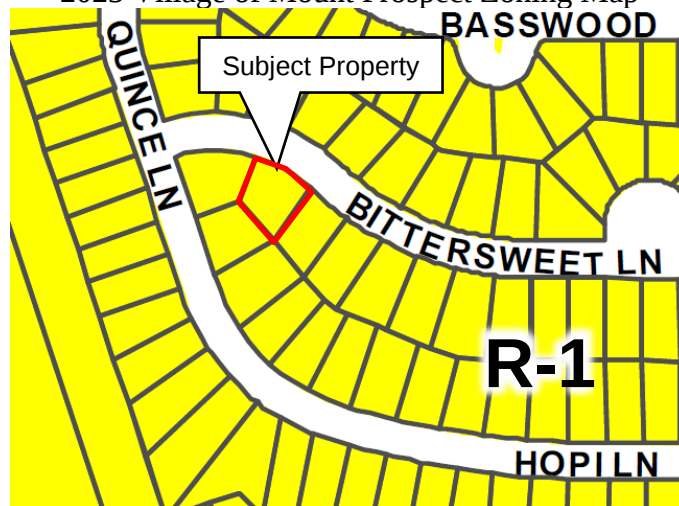
BRIEF SUMMARY OF REQUEST

The petitioner is seeking a conditional use per Sec. 14.604 for a side-yard setback reduction at 1803 E. Bittersweet Ln. to construct a shed three feet (3') from the interior property line, whereas five feet (5') is required.

2021 Aerial Image



2023 Village of Mount Prospect Zoning Map



EXISTING ZONING	EXISTING LAND USE/SITE IMPROVEMENTS	SURROUNDING ZONING & LAND USE	SIZE OF PROPERTY
R-1 Single Family Residential	Detached Single Family Residential	North: R-1 Single Family Residential East: R-1 Single Family Residential South: R-1 Single Family Residential West: R-1 Single Family Residential	0.21 Acres

STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

DISCUSSION OF PROPOSAL

BACKGROUND / PROPERTY HISTORY

The subject property was annexed into the Village in 1971 and the current improvements consist of a two-story single-family residence with an attached two-car garage and patio.

The subject property is located near the southeast corner of Quince and Bittersweet Lanes and is zoned R-1: Single-Family Residential.

PROPOSAL

The petitioner proposes to construct a 40 ft.² shed setback 3' from the interior lot line. A conditional use is being request as the proposed shed location does not meet the 5' setback requirement per Sec. 14.306-B-2-b.

Sec. 14.604 permits side-yard setback reduction for structures in the R-X, R-1, and R-A zoning districts as a conditional use.

A conditional use is being requested from the following code section:

1. Sec. 14.604: Setback reductions in all required yards. The proposed shed will be setback 3 ft. from the interior lot line, whereas a minimum setback of 5 ft. is required.

CONDITIONAL USE STANDARDS

The standards for a conditional use are listed in Section 14.203.F.8 of the Village Zoning Ordinance and include seven specific standards that must be met to approve a conditional use. The following list is a summary of these findings:

1. The conditional use will not be detrimental to the public health, safety, morals, comfort, or general welfare.
2. The conditional use will not be injurious to the uses and property in the immediate vicinity.
3. The conditional use will not impede development of surrounding properties.
4. The conditional use is provided with adequate public utilities, access roads and drainage.
5. The conditional use is provided with ingress/egress as to minimize traffic congestion on public streets.
6. The conditional use is consistent with the Comprehensive Plan.
7. The conditional use conforms to all applicable Village codes for the zoning district the subject property is located.

Per the Petitioner, there are several conditions on the subject property preventing the shed from being located 5 ft. from the property line as required by the Zoning Ordinance. The conditions include an irregular shaped lot that has a narrower backyard, existing vegetation in the south and west corners of the lot, above ground and underground utility lines extending from the southwest corner of the lot, and an underground sprinkler system that is located approximately 7 ft. from the interior lot line.

The Petitioner has submitted written responses to the conditional use standards which is attached to this report as an exhibit.

Staff finds that the standards for a conditional use have been meet. Staff's findings are summarized below:

- The proposed conditional use will not be detrimental or injurious to the general welfare or adjacent subject properties, as a shed is a common accessory structure in a residential zoning district and sheds have minimal impact. The proposed shed does not require any utility, access roads, ingress/egress. The proposed conditional use will be consistent with the Comprehensive Plan and the development of the area as it will maintain the existing residential use of the subject property.

PUBLIC COMMENTS

As of this writing, Staff has not received any public comments.

STAFF RECOMMENDATION

Staff finds that the standards for conditional use have been as the construction of the shed will not be injurious or detrimental to the public health, safety, morals, or general welfare and will not impact the development or use of the properties in the surround area. The proposed conditional use is consistent with the Comprehensive Plan and meets all applicable Village Codes. Based on these findings, staff recommends that the Planning and Zoning Commission make a motion to adopt staff's findings as the findings of the Planning and Zoning Commission and **approve** the following motion:

1. "A conditional use per Sec. 14.604 to permit a shed to be setback 3 ft. from the interior property line, whereas the minimum setback required is 5 ft. on the property located 1803 E. Bittersweet Ln., as shown on the plans submitted and attached to this request."

The Village Board's decision is final for this case.

ATTACHMENTS:

ADMINISTRATIVE CONTENT

(Zoning Request Application,
Responses to Standards, etc.)

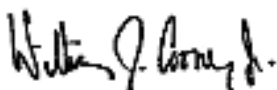
PLANS

(Plat of Survey, Site
Plan, etc.)

OTHER

(Supplemental
Information, Public
Comments
Received, etc.)

I concur:



William J. Cooney, AICP
Director of Community Development



Village of Mount Prospect
Community Development Department
50 S. Emerson Street
Mount Prospect, Illinois 60056
Phone: (847) 818-5328

Zoning Request Application

Official Use Only (To be completed by Village Staff)

Case Number: P&Z - 17 - 23 Date of Submission: 9/19/23 Hearing Date: 10/26/23

Project Name/Address: CHARLEN SHED

I. Subject Property

Address(es): 1803 E. Bittersweet Lane, Mount Prospect, IL 60056

Zoning District (s): _____ Property Area (Sq.Ft. and/or Acreage): _____

Parcel Index Number(s) (PIN(s)): 03-25-306-015-0000

II. Zoning Request(s) (Check all that apply)

☒ Conditional Use: For Side-Yard Setback Reduction for Shed

☒ Variation(s): To [REDACTED]

☐ Zoning Map Amendment: Rezone From _____ To _____

☐ Zoning Text Amendment: Section(s) _____

☐ Other: _____

III. Summary of Proposal (use separate sheet if necessary)

See Enclosed Summary of Proposal

IV. Applicant (all correspondence will be sent to the applicant)

Name: Eugene Chaiken Corporation: _____

Address: 1803 E. Bittersweet Lane

City, State, ZIP Code: Mount Prospect, IL 60056

Phone: 847-635-7972 Email: gchaiken@yahoo.com

Interest in Property: Owner
(e.g. owner, buyer, developer, lessee, architect, etc...)

V. Property Owner	
☒ Check if Same as Applicant	
Name: _____	Corporation: _____
Address: _____	
City, State, ZIP Code: _____	
Phone: _____	Email: _____

In consideration of the information contained in this petition as well as all supporting documentation, it is requested that approval be given to this request. The applicant is the owner or authorized representative of the owner of the property. The petitioner and the owner of the property grant employees of the Village of Mount Prospect and their agent's permission to enter on the property during reasonable hours for visual inspection of the subject property.

I hereby affirm that all information provided herein and in all materials submitted in association with this application are true and accurate to the best of my knowledge.

Applicant: Eugene Chaiken Date: 9/18/23
 (Signature)
Eugene Chaiken
 (Print or Type Name)

If applicant is not property owner:

I hereby designate the applicant to act as my agent for the purpose of seeking the zoning request(s) described in this application and the associated supporting material.

Property Owner: _____ Date: _____
 (Signature)

 (Print or Type Name)

Affidavit of Ownership

COUNTY OF COOK)

STATE OF ILLINOIS)

I, Eugene Chaiken, under oath, state that I am
(print name)

- ☐ the sole owner of the property
☒ an owner of the property
☐ an authorized officer for the owner of the property

commonly described as 1803 E. Bittersweet Lane Mount Prospect IL 60056
(property address and PIN) 03-25-306-015-0000

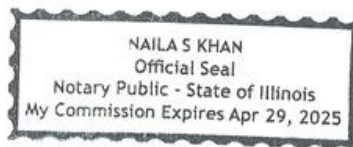
and that such property is owned by Eugene Chaiken as of this date.
(print name)

Eugene Chaiken
Signature

Subscribed and sworn to before

me this 13th day of
Sep, 2023

Naila S Khan
Notary Public



WARRANTY DEED

THE GRANTORS, **EUGENE I. CHAIKEN and LEAH CHAIKEN**, husband and wife, of 1803 Bittersweet Ln., Mt. Prospect, County of Cook, State of Illinois, for and in consideration of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid, CONVEY and WARRANT an undivided ½ interest as a tenant-in-common to:

EUGENE I. CHAIKEN or LEAH B. CHAIKEN, Trustees, or their successors in trust, under the **EUGENE I. CHAIKEN LIVING TRUST**, dated **August 31, 2004**, and any amendments thereto, of 1803 Bittersweet Ln., Mt. Prospect, County of Cook, State of Illinois, and an undivided ½ interest as a tenant-in-common to:

LEAH B. CHAIKEN or EUGENE I. CHAIKEN, Trustees, or their successors in trust, under the **LEAH B. CHAIKEN LIVING TRUST**, dated **August 31, 2004**, and any amendments thereto, of 1803 Bittersweet Ln., Mt. Prospect, County of Cook, State of Illinois,

all interest in the following described Real Estate situated in the County of Cook, in the State of Illinois, to wit:

SEE ATTACHED "EXHIBIT A" FOR LEGAL DESCRIPTION.

Property Address: 1803 Bittersweet Ln., Mt. Prospect, IL 60056
Permanent Index Number: 03-25-306-015-0000

with full power and authority in any Trustee or Successor Trustee to protect, sell, lease, encumber or dispose of the Real Estate in the same manner as a person owning it in fee simple and without any trust, and hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

DATED this 27th day of Sept., 2004.

Eugene I Chaiken (Seal)
EUGENE I. CHAIKEN

Leah Chaiken (Seal)
LEAH CHAIKEN

State of ILL)
County of Cook) ss.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that EUGENE I. CHAIKEN and LEAH CHAIKEN, husband and wife, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal, this 27 day of September, 2004.

[Signature]
Notary Public



Doc#: 0428249055
Eugene "Gene" Moore Fee: \$28.00
Cook County Recorder of Deeds
Date: 10/08/2004 10:47 AM Pg: 1 of 3

(Above Space For Recorder's Use Only)

Exempt under Paragraph (e) of 35 ILCS 200/31-45, Property Tax Code

Date: 9-30-04 Name: [Signature]



TOTAL PAYMENT DUE		2022 First Installment Property Tax Bill - Cook County Electronic Bill						
By 10/01/23	\$0.00	Property Index Number (PIN)	Volume	Code	Tax Year	(Payable In)	Township	Classification
		03-25-306-015-0000	233	38044	2022	(2023)	WHEELING	2-78
IF PAYING LATE, PLEASE PAY	10/02/2023 - 11/01/2023	11/02/2023 - 12/01/2023		12/02/2023 - 01/01/2024		LATE INTEREST IS 1.5% PER MONTH, BY STATE LAW		
	\$0.00	\$0.00		\$0.00				

TAXING DISTRICT DEBT AND FINANCIAL DATA

Your Taxing Districts	Money Owed by Your Taxing Districts	Pension and Healthcare Amounts Promised by Your Taxing Districts	Amount of Pension and Healthcare Shortage	% of Pension and Healthcare Costs Taxing Districts Can Pay
Northwest Mosquito Abatement Wheeling	\$1,080,667	\$7,960,421	-\$824,317	110.36%
Metro Water Reclamation Dist of Chicago	\$3,327,854,000	\$3,020,080,000	\$1,168,985,000	61.29%
River Trails Park Dist Prospect Heights	\$9,992,525	\$9,344,992	-\$346,837	103.71%
Harper Coll Comm College 512 (Palatine)	\$385,967,009	\$71,570,388	\$71,570,388	0.00%
Township HS District 214 (Arlington Hts)	\$174,084,349	\$270,533,348	-\$10,941,244	104.04%
River Trails Elementary SD 26 (Mt Pros)	\$33,354,963	\$33,183,419	\$9,825,384	70.39%
Village of Mount Prospect	\$168,137,977	\$365,344,346	\$99,691,444	72.71%
Town of Wheeling	\$12,813	\$5,287,671	\$0	100.00%
Cook County Forest Preserve District	\$233,103,051	\$540,107,634	\$328,420,280	39.19%
County of Cook	\$8,019,310,814	\$29,739,673,504	\$17,090,063,066	42.53%
Total	\$12,352,898,168	\$34,063,085,723	\$18,756,443,164	

For a more in-depth look at government finances and how they affect your taxes, visit [cookcountytreasurer.com](https://www.cookcountytreasurer.com)

PAY YOUR TAXES ONLINE

Pay at [cookcountytreasurer.com](https://www.cookcountytreasurer.com) from your bank account or credit card.

TAX CALCULATOR			IMPORTANT MESSAGES	
2021 TOTAL TAX		9,673.60		
2022 ESTIMATE	X	55%		
2022 1st INSTALLMENT	=	5,320.48		
The First Installment amount is 55% of last year's total taxes. All exemptions, such as homeowner and senior exemptions, will be reflected on your Second Installment tax bill.				
			PROPERTY LOCATION	MAILING ADDRESS
			1803 E BITTERSWEET LN MOUNT PROSPECT IL 60056	EUGENE CHAIKEN 1803 BITTERSWEET LANE MT PROSPECT IL 600561905

*** Please see 2022 First Installment Payment Coupon next page ***

2022 First Installment Property Tax Bill

Cook County Payment Coupon

Pursuant to Cook County Ordinance 07-O-68, if you are a mortgage lender, loan servicer, or agent of any entity within the meaning of 35 ILCS 200/20-12, you may not pay using a downloadable tax bill unless you pay the \$5 duplicate bill fee.

DETACH & INCLUDE WITH PAYMENT

TOTAL PAYMENT DUE		IMPORTANT PAYMENT MESSAGES		Property Index Number (PIN) 03-25-306-015-0000		T1LG Volume 233	
\$0.00		Cook County eBill		Amount Paid			
By 10/01/23 If paying later, refer to amounts above.		Click to pay online Click to update Mailing Name/Address					
SN 0020220100 RTN 500001075 AN (see PIN) TC 008922							

00202201000032530601500004008922400

**This is an Official Downloadable Tax Bill Payment Coupon.
Please process this coupon along with payment presented.**

**COOK COUNTY TREASURER
PO BOX 805436
CHICAGO IL 60680-4116**

October 6, 2023

Request for Conditional Use Approval

We are requesting a Conditional Use Approval in order to put up a 5' by 8' shed in our backyard at 1803 E Bittersweet Ln in the location shown on the plat of survey. The code requires a 5' set back from the property line but for the reasons set forth below we could only meet a 3' set back at the proposed location.

Our property is on a unique and irregularly shaped lot with a narrow back yard. There is a large fir tree in the Southern corner of the lot.

There are bushes and smaller fir trees in the Western corner. Utility and cable lines extend overhead and underground from a pole just outside the fence in this corner to the house.

A sprinkler system runs generally around the yard about 7' from the fence. A shed could not be placed over those sprinkler lines without blocking the heads. Removal or relocation of the sprinkler lines would cause a financial hardship for us.

A shed placed on the opposite side of the proposed location would be too close to the walkway and the gate.

As proposed the shed would meet or exceed a 3' set back from the primary property.

We submit that:

1. The establishment of the Conditional Use will not be detrimental or endanger the public health or general welfare of any person.
2. Will not be injurious to or diminish any property values in the area.
3. That the shed will not impact the development or use of any surrounding property.
4. That the shed will have no impact on any public utilities.
5. That there will be no impact on public access or traffic in the area.
6. That to the best of our knowledge the conditional use is not contrary to the objectives of the Comprehensive Village plan.
7. That to the best of our knowledge the shed will comply with all other regulations except for the 5 foot setback.

Accordingly, we respectfully request this Conditional Use Approval.

Eugene Chaiken
1803 E Bittersweet Ln
Mount Prospect, IL



ANTON ADAMS
Illinois Professional Land Surveyor

PLAT OF SURVEY

of

301 N. Wille Street
Mt. Prospect, IL 60056

(847) 255-3512

SCALE 1 inch = 15 FEET

Lot 36 in Forest Manor Unit No. 1, being a Subdivision in the Southwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of Section 25, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

CHAKEN

1803 Bittersweet Ln

VARIANCE REQUEST
FOR SHED

PREPARED 9/17/23



ORDER NUMBER 46960

FIELD BOOK 42-11-106 PAGE 121

ORDERED BY GENE CHAKEN

Compare legal description on this plat with deed or title policy. Compare all points before building by same and report any differences at once. Building lines and easements, if any, are shown as they appear on the recorded plat of subdivision, otherwise refer to deed, title policy or Zoning ordinances. Distances or angles shown may not be assumed by scaling.



STATE OF ILLINOIS
COUNTY OF COOK

I, ANTON ADAMS, Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and that the plat hereon drawn is a correct representation thereof. This professional service conforms to the current Illinois minimum standards for a boundary survey.

MOUNT PROSPECT ILLINOIS JULY 29 AD. 2011

Anton Adams
Illinois Professional Land Surveyor
License #35-2810 Expires 11/12



Tyler Zehr

Area Sales Manager

Authorized Home Depot Service Provider

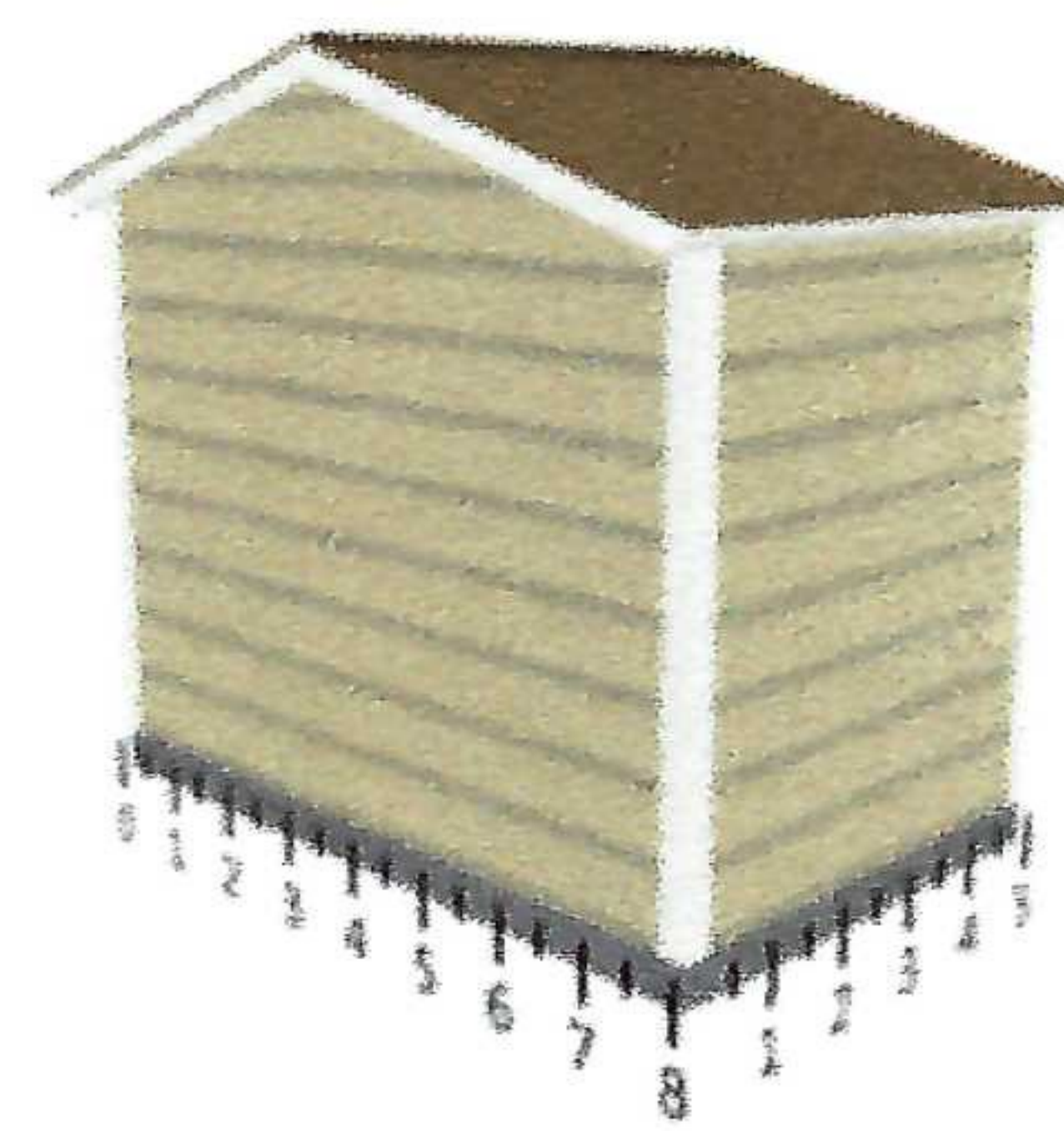
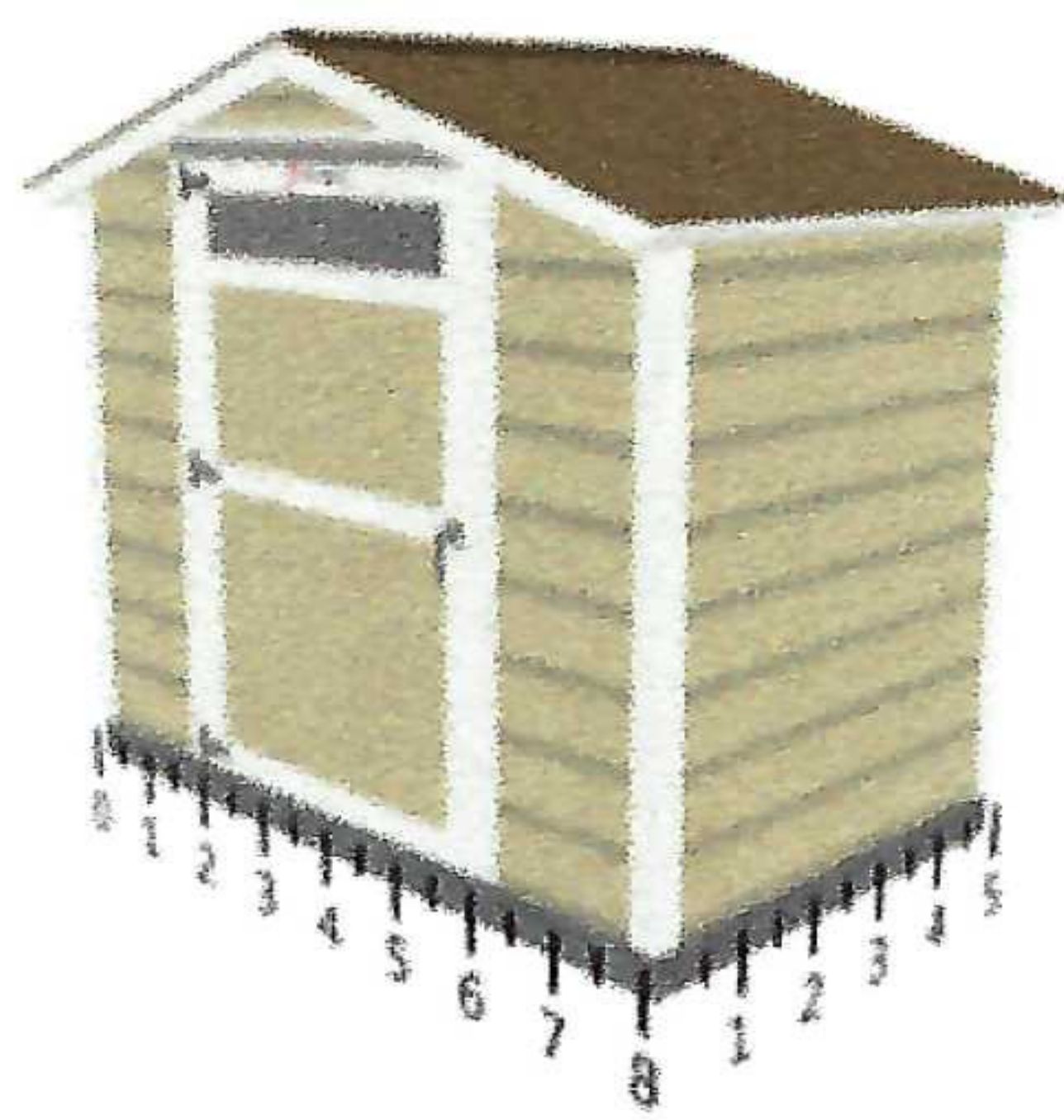
p: 847-217-3976 e: TZehr@tuffshed.com

www.888tuffshed.com

National Call Center 888-883-3743



Leah Chaiken
1803 Bittersweet Ln
Mount Prospect IL 60056
Q7746351-7729471



Wall D



Wall A

Wall C

Wall B

Base Details/Permit Details

Building Size & Style

SR-600 - 8' wide by 5' long

Door

4' x 6'2" Single Shed Door, Left Hinge
Placement, In Door Horizontal Transom
(4' door), Drip Cap

Siding Colors

Base: Vinyl Tan, Trim: Nantucket White

Roof Selection

Golden Cedar 3 Tab

Drip Edge

White

Is a permit required for this job?

Yes, Engineering fees still apply

Who is pulling the permit?

Customer

Optional Details

Walls

159 Sq Ft House Wrap
159 Sq Ft Vinyl Siding with OSB

Roof

16 Lin Ft 4" Gable EW Eave Upgrade
5.67 Lin Ft Ridge Vent

Floor and Foundation

4 Ea Shed Anchor into Dirt - Auger or
MR88

Interior

8 Lin Ft Shelving - 12" deep

Shelving Locations

Shelving on C at 39".

Jobsite/Installer Details

**Do you plan to insulate this building after
Tuff Shed installs it?**

Yes

**Is there a power outlet within 100 feet of
installation location?**

Yes

**The building location must be level to
properly install the building. How level
is the install location?**

**Will there be 18" of unobstructed
workspace around the perimeter of all
four walls?**

Yes

**Can the installers park their pickup truck &
trailer within approximately 200' of
your installation site?**

Please Select

Substrate Shed will be installed on?

Dirt/Gravel