

Village of Carol Stream

AGENDA

REGULAR MEETING-PLAN COMMISSION/ZONING BOARD OF APPEALS

MONDAY, JANUARY 27, 2020, AT 7:00 P.M.

ALL MATTERS ON THE AGENDA MAY BE DISCUSSED, AMENDED AND ACTED UPON

- I. Roll Call: Present:
Absent:
- II. Approval of Minutes: December 9, 2019
- III. Public Hearing:
 - A. **19-0046 – Merlo Residence-177 El Paso Lane**
Zoning Code Variation to Allow For a Commercial Vehicle to be Parked on a Driveway in a Residential District.
- IV. Presentation:
- V. Old Business:
- VI. New Business:
Cancellation of February 10, 2020 Meeting
- VII. Report of Officers:
- VII. Adjournment:

**Special Meeting – Plan Commission/Zoning Board of Appeals
Gregory J. Bielawski Municipal Center, DuPage County, Carol Stream, Illinois**

***All Matters on the Agenda may be Discussed, Amended and Acted Upon
December 9, 2019.***

Chairman Parisi called the Special Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 6:00 p.m. and directed Jane Lentino, Community Development Secretary, to call the roll.

The results of the roll call were:

Present: Commissioners Angelo Christopher, John Meneghini, Michael Battisto, Charlie Tucek, Daniel Morris, Chairman Parisi.

Absent: Frank Petella

Also Present: Don Bastian, Director of Community Development, Tom Farace, Planning and Economic Development Manager, Jane Lentino, Secretary, and Ms. Jackie Wells, Consultant from Houseal Lavigne Associates.

MINUTES:

There were no minutes to be approved.

PUBLIC HEARING:

There were no notices for Public Hearing.

PRESENTATION:

Mr. Farace explained that the presentation would include draft use specific standards and development standards, and introduced Ms. Jackie Wells, consultant from Houseal Lavigne Associates.

Ms. Wells stated that the UDO project is at the development stage and the presentation would review Articles IV, V and VI.

Ms. Wells stated that Article IV which is the use specific standards, does not exist in the current Zoning Ordinance. She stated that the Use Specific Standards apply to specific uses regardless of location, it is more streamlined and user friendly, and establishes higher standards.

Ms. Wells stated that there are 22 uses that include:

1. Single use attached dwellings, such as townhomes, row homes, and duplexes, and addresses orientation, parking and quality building materials.
2. Multi-unit dwelling, such as coach homes where there is a dwelling on top of another.
3. Out lot retail buildings, which is a new use, and includes buildings not attached to the main building such as the buildings along North and Schmale Roads outside of Caputo's.
4. Kennels and boarding facilities.
5. Drive-thru locations, including ATMs, restaurants, car washes, pharmacies, bank tellers, etc.
6. Outdoor Storage, which would include screening in specific districts, appropriate surfaces, types of containers that can be used for storage, and outdoor storage in residential districts.
7. Portable storage units, and will include size, placement and length of use.

Chairman Parisi asked to clarify residential accessory uses and limiting the amount of residential outdoor storage.

Ms. Wells referred to Section 411-E and stated that definitions would be clear and the number of structures would be limited.

Commissioner Morris referred to a kennel that burned down a few months ago and asked when that would be cleaned up.

Mr. Bastian stated that the property was unincorporated and it is up to the County to follow through.

Chairman Parisi asked if the Village has provisions about property maintenance.

Mr. Bastian stated that it is a violation of the property maintenance code and various other codes, and if it were in Carol Stream proper, it would have been taken care of by now.

Ms. Wells stated that the Development Standards, or Standards of General Applicability, are relevant for all uses throughout the Village, such as parking, fences and things that would be seen on most lots. She stated that they would include:

1. Performance standards, which include noise levels, vibration, and lighting, and could be either specific or general.

Chairman Parisi asked about the pros and cons of general versus specific standards.

Ms. Wells stated that a 'pro' would mean that if someone is complaining about noise levels, there is specific standard of decibel level that can be measured and enforced, She stated that a general standard could work in favor of either the Village or the property owner.

Commissioner Tucek stated that it would be easier to enforce if the standard is specific.

Chairman Parisi stated that if a measure is put in place then it would depend upon when the measure was taken. He stated that a general standard would react to the resident's tolerance to the nuisance and allows professional judgement.

Commissioner Tucek referred to the Pilot gas station and the residents concern about noise and asked if there had been any complaints.

Mr. Bastian stated that there were none.

Chairman Parisi asked the Commission if the code should be general or specific. The consensus was that the code should be general.

Chairman Parisi stated that he felt the measurement of 33% of outdoor lighting being lit for security purposes was high and asked to that how was concluded.

Ms. Wells stated that it is the same standard that was used in other towns and it is based upon the most modern industry standards for this type of outdoor lighting. She stated that the science is based on the space of shadow between lights so there are no dark pockets and stated that 33% is the maximum for non-business hours.

Chairman Parisi expressed concern about the night sky pollution.

Ms. Wells stated that the luminaries would be pointed down.

2. Off-street parking and loading such as shared parking, which allows for a reduction of required parking for uses that have different peak hours, maximum and minimum parking requirements; pedestrian circulation standards, off-street loading.
3. Landscape, including plant types and required landscape areas.
4. Screening for trash/recycling areas, truck parking areas, service yards, and loading docks, both ground and roof mounted mechanical units, and drive-throughs.

Chairman Parisi referred to screening for ground mounted mechanical units adjacent to residential properties being screened from public view, stating that the code suggests that it may only have to be screened on one or two sides, and recommended that it says must be completely screened.

Ms. Wells stated that it would.

5. Fences in all districts, including regards to height, conformity along corridors, placement and percentage of damage requiring a permit.

Commissioner Morris asked about existing fences that don't comply.

Ms. Wells stated that the fence would be considered non-conforming and would have to be brought up to code if there was a repair of 50% or more.

Mr. Bastian suggested adding a graphic that illustrates the different types of fence design.

Chairman Parisi stated that the placement of a residential fence in the front yard seems to have changed, and suggested graphics to further illustrate proper placement of fencing.

Ms. Wells stated that a fence in the front yard would have to be 50% open for visual purposes.

Commissioner Tucek asked at what point a resident will have to replace a non-conforming fence with a conforming fence.

Ms. Wells stated at 50% of the section of fence.

Mr. Bastian clarified that only the rear facing fence along a major roadway would have to be replaced.

6. Solar Energy Collection Systems, including building mounted systems and free standing systems for both primary use and accessory use.

Ms. Wells stated that many communities are not comfortable with the height requirement needed for wind energy and asked the Commission for feedback as to whether or not they were interested drafting the standards for wind energy systems as well.

Chairman Parisi stated that it should not be allowed on residential properties, and asked if there are different requirements in the industrial area; and where Carol Stream places in regards to successful wind energy generation.

Ms. Wells stated that wind energy is an accessory use to a building, it may be an architectural requirement and not necessarily to offset energy costs, and that a larger area may be needed to achieve successful wind energy generation.

Chairman Parisi asked for feedback from the Commission.

Commissioner Morris stated that it should not be in the residential area and he felt that there was not enough room in the Industrial district.

Commissioner Battisto stated that the technology is not advanced enough.

Commissioner Tucek stated that he doesn't know that much about the technology.

Commissioner Meneghini stated that it sounds like it won't work.

Chairman Parisi stated that he is on the fence because solar energy started out the same way and now ComEd is subsidizing it. He stated that even in the Industrial district, the scale is inappropriate to the community because of the size of the technology.

7. Sign Standards, including gasoline price signs, menu boards, and temporary real estate signs, as it applies to size, location, and duration of commercial and noncommercial signs.

Ms. Wells referred to a 2015 Supreme Court case that concluded that sign speech is protected under the first amendment. She stated that the Sign Code will be revised to eliminate content based regulations.

Ms. Wells stated that signs requiring a permit would be wall signs, monument signs, shopping center monument signs, awning or canopy signs and projecting signs. She stated that on-site traffic directional signs and window signs would not require a permit.

Ms. Wells stated that temporary signs that would require a permit include wall mounted and ground mounted banners, feather signs and sidewalk signs. She stated that real estate signs would fall into this category. She stated that yard signs, booster signs, real estate signs and political signs would not require a permit.

Ms. Wells stated that they are proposing percentages of electronic messaging on electronic message boards, as well as timing of messaging transition for health and safety reasons.

Chairman Parisi asked about requiring LED lighting for electronic signs to be able to control the brightness, especially at night.

Ms. Wells stated that there would be a provision in the code.

Ms. Wells stated that there will be provisions for safety, maintenance and abandonment of signs, as well as illegal signs and nonconforming signs, written into the code, and suggested a 10 year amortization from the adoption of the code for box signs to be transitioned into a conforming sign.

Chairman Parisi stated that the groundwork is the right groundwork for the changes that have been proposed in the Comprehensive Plan.

Chairman Parisi asked for a motion to adjourn the 6:00pm meeting.

Commissioner Meneghini moved and Commissioner Tucek seconded the motion,

OTHER BUSINESS:

Mr. Farace stated that the next UDO workshop would be April, 2020.

OLD BUSINESS:

NEW BUSINESS:

ADJOURNMENT:

At 7:00pm Commissioner Meneghini moved and Commissioner Christopher seconded the motion to adjourn the meeting.

The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,

Jane Lentino
Community Development Secretary

Minutes approved by Plan Commission on this ____ day of _____, 20____.

Chairman

**Regular Meeting – Plan Commission/Zoning Board of Appeals
Gregory J. Bielawski Municipal Center, DuPage County, Carol Stream, Illinois**

***All Matters on the Agenda may be Discussed, Amended and Acted Upon
December 9, 2019.***

Chairman Parisi called the Regular Meeting of the Combined Plan Commission/Zoning Board of Appeals to order at 7:04pm and directed Jane Lentino, Community Development Secretary, to call the roll.

The results of the roll call were:

Present: Commissioners Angelo Christopher, John Meneghini, Charlie Tucek, Michael Battisto, Daniel Morris, and Chairman Parisi.

Absent: Frank Petella

Also Present: Don Bastian, Director of Community Development; Tom Farace, Planning and Economic Development Manager; Jane Lentino, Secretary, and a representative from County Court Reporters.

MINUTES:

Commissioner Meneghini moved and Commissioner Tucek seconded the motion to approve the minutes of the Regular Meeting held on November 25, 2019.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Meneghini, Battisto, Tucek, Morris, Chairman Parisi.

Nays: 0

Abstain: 0

Absent: 1 Commissioner Petella

PUBLIC HEARING:

Chairman Parisi asked for a motion to open the Public Hearing. Commissioner Battisto moved and Commissioner Meneghini seconded the motion.

The motion was passed by unanimous vote.

Case #19-0009 – Outreach Communities Ministries/Jubilee Furniture-730 E. North Avenue

Chairman Parisi swore in Jim Moyer, Architect, SAS Architects, 630 Dundee Road, Northbrook, IL; Chris Ellerman, CEO, Outreach Community Ministries, 373 S. Schmale Road, Carol Stream, IL.

Mr. Ellerman commended Staff, and stated that Jubilee Furniture is the largest furniture store in the County, and their profits are going back into human services in Carol Stream and central DuPage

County. He stated that Phase 1 is almost paid for and they've worked hard to raise the resources for Phase 2. He stated that Phase 3 will be in the future.

Mr. Ellerman stated that their dual vision from the beginning has been to run a retail store that generates income for their services, and can be used as a training environment for young adults who are learning the process of good work and work ethic. He stated that there will be training of harder skills, such as certification of running the forklift and some auto mechanics so they can work on some of their own equipment, including their own trucks. He stated that they have a car donation program and they will learn to work on those cars as well. He stated that there will also be training to work on light electronics and furniture repair. He stated that the outcome of the job training is to move beyond their program into one or two-year training programs, into apprenticeship programs and, in some cases, get their GED certification and into junior college coursework.

Chairman Parisi asked for questions from the audience. There were none.

Chairman Parisi asked Mr. Farace for the Staff Report.

Mr. Farace stated that Outreach Community Ministries (OCM) is seeking a variety of approvals for the property on North Avenue, including a zoning map amendment to rezone the property from the B-2 General Business District to the B-3 Service District; a zoning text amendment to add the term 'employment training and vocational center' as a Special Use in the B-3 District and add a specific definition and subsequent terminology to the Village's definition section in the Zoning Code; and also a Special Use permit for an employment training and vocational center; a Special Use request for an open sales that is ancillary to the permitted use; and a plat of consolidation.

Mr. Farace stated that OCM has been operating their Jubilee Furniture store in Carol Stream for five years and prior to that it was a Frank's Nursery and a carpet store. He stated that OCM has a long-term plan for the property, and that the phase that they are proposing at this time includes a two story addition on the west side of the building.

Mr. Farace stated that, currently, the west side of the building has a large open sales area for outdoor sales of seasonal furniture, which would still be located in the front section on the west side of the property, and they are seeking approval of a Special Use permit. He stated that it does not appear that a Special Use permit was ever granted for either Jubilee or Frank's Nursery, and Staff felt that it's probably a good idea to grant the Special Use permit at this time.

Mr. Farace stated that the area itself will be reduced in size to about half of what is there currently. He stated that it is fenced in and the applicant is proposing to modify the chain-link fencing with slats for more effective screening.

Mr. Farace stated that the rest of that area is where the addition will be located. He stated that this phase includes additional retail space of the existing store and for the training center which will be in the rear, along with garage space and a workstation for the automotive training center, where vehicles owned by OCM, or by individuals in OCM's transitional housing, can be brought in for students or interns to work on. He stated that the work station would not be open to the public. He stated that there would be workstations in that back area electronic repair or furniture repair as well.

Mr. Farace stated that OCM is requesting a text amendment for a training center and vocational center because the current code does not allow for those uses. He stated that the proposed terminology is in the Staff Report, along with the added definition.

Mr. Farace stated that Staff feels comfortable with allowing this use within the B-3 District, and is supportive of the request along with adding the definition to B-3 District.

Mr. Farace stated that OCM is proposing that the addition is setback from the front of the existing building and will have a metal panel exterior. He stated that future phase to expand the use of the building would match the existing masonry and stone. He stated that Staff is comfortable with allowing the concrete masonry units and the insulated metal panels that are being proposed on this building addition, at this time, with a color scheme that will blend in with the colors of the current materials on the building.

Mr. Farace stated that plat of consolidation is being requested to consolidate the two separate lots into one lot. He stated that the plat has been reviewed at the Staff level, along with our Village Clerk's office. He stated that Staff is supportive of the request and is recommending approval with the conditions in the Staff Report.

Chairman Parisi asked for questions from the Commission. Commissioners Christopher, Battisto, and Morris had none.

Commissioner Meneghini asked Mr. Ellerman if he was familiar with the nine Staff recommendations in the report and if he will be able to comply with them.

Mr. Ellerman stated yes.

Commissioner Tucek stated that he supports the project, hopes that they consider local purchases for their vehicle repair training program, and reminded them to be kind to their neighbors as pneumatic tools can be loud.

Chairman Parisi asked Mr. Farace if the Special Use would have to be modified if an addition was added to the front of the building in the future.

Mr. Farace stated that it would. He stated that the property lies within the North Avenue Corridor overlay district, but that there is a provision within the corridor that only the first 400 feet of a property falls within the Corridor, and that this addition does not fall within the first 400 feet of the property. He stated that the north half of the west side of the property would fall within the Corridor.

Chairman Parisi asked for a motion to recommend approval Case #19-0009 with Staff recommendations.

Commissioner Meneghini moved and Commissioner Christopher seconded the motion.

The results of the roll call vote were:

Ayes: 6 Commissioners Meneghini, Christopher, Tucek, Battisto, Morris and Chairman Parisi.

Nays: 0

Abstain: 0

Absent: 1 Commissioner Petella

The motion was approved.

This case will go before the Village Board of Trustees on Monday, December 16, 2019, at 7:30 PM for formal approval.

Case #19-0036 – Vequity Holdings, Inc.-431 Geneva Road, 521 S. Schmale Road, and 2201 N. Main Place

*Special Use for Outdoor Storage and Operations-Storage of Equipment
Special Use Permit for Equipment and Machinery Rental Operations*

Chairman Parisi swore in Tracy Kasson, Attorney, Rathje Woodward, 300 E Roosevelt Rd #300, Wheaton, IL 60187; Chris Ilekis, Vequity Holdings, Inc., 400 N. State Street, Chicago, IL, 60654; Bill Perry, Watermark Engineering, 2631 Ginger Woods Pkwy # 100, Aurora, IL 60502; Yousuf Ghori, Architect, 9028 Wachter Lane, Hickory Hills, IL; ; Dan Akroyd, 7-11.

Mr. Kasson stated that he is an attorney appearing on behalf of the applicant, Vequity Holdings, Inc. He stated that the proposed development is approximately 1.66 acres at the northeast corner of Geneva Road and Schmale Roads, and consists of three different lots owned by three different owners. He stated that lot 1 is 2201 North Main Street, which is currently in Wheaton; lot 2 is 521 S. Schmale Road; and lot 3 is 431 E. Geneva Road.

Mr. Kasson stated that they have an application for rezoning upon annexation of the 2201 N Main Street lot from R-1 to B-3, and the remaining two lots from B-2 to B-3. He stated that there is an application for a Planned Unit Development for two lots; one is for a 7-11 fueling and convenience store and the other one would be for potential future development.

Mr. Kasson stated that they are asking for a Special Use for an automobile service station for the 7-11, and a sign variance to allow off-site premise signs because there are two lots that are functioning as one lot with cross access. He stated that they are also applying for a plat of resubdivision to take the three lots down to two lots. He stated that the approvals would be effective after the closing on the three lots, and after the disconnection of the Wheaton lot.

Mr. Kasson introduced Mr. Ilekis from Vequity Holdings, Inc.

Mr. Ilekis thanked Staff and stated Vequity is a local development company who represents a number of local, regional, and national retailers, and is the preferred developer of 7-11 in Chicago. He stated they are proposing that 7-eleven occupy lot one, the southernmost lot, and would include a new prototypical 3,500 square foot 7-eleven convenience store with five MPD fueling stations, a free-standing fuel sign on the corner with digital ticker for their fuel, and two additional ancillary signs, one at each of the access points.

Mr. Ilekis stated that the northern lot, 521 S. Schmale, which is currently Armanetti's, and a portion of 431 Geneva Road lot would be consolidated. He stated that they are proposing doing all site improvements for both lots, which would include all underground infrastructure and utility work, all the site curbing and asphalt, as well as all the landscaping, parking, and concrete.

Mr. Ilekis stated that they don't have a tenant for the northern lot. He stated that, as part of the PUD, they are requesting some flexibility to either modify the existing building for future tenants, or build a new spec building.

Mr. Ilekis introduced Bill Perry from Watermark Engineering.

Mr. Perry stated that the existing site has a number of curb cuts, four that are on Main Street and three that are on Geneva Road. He stated that they are proposing to modify the site plan to only one right in right out access point on Geneva Road and one full access point on Schmale Road. He stated that both roads are DuPage County DOT regulated roads, and that they are in communication with the highway department for approval.

Mr. Perry stated that the access points are important for the fuel trucks. He stated that fuel trucks have to come in off of Geneva Road, and make it right into the site for fueling, and then exit in going northbound. He stated that there is pavement all the way up to the road, and that both the northern and southern sites are almost 100% impervious sites in their existing condition, and do not have landscaping. He stated that they are proposing to provide some landscaping buffer around the perimeter around the west and south sides on the street frontages, and also on the east with the north remaining as is.

Mr. Perry stated that they are asking for relief from the code on the setbacks as it is a small site. He stated that they are requesting that the front yard setback along Schmale Road be reduced from 81 feet from 100 feet. He stated that the existing building is at 54 feet.

Mr. Perry stated that they are also asking for a 34 foot setback instead of 40 feet in the side yard, and that the existing setback is 30 feet. He stated that parking, as it exists, has a zero setback, and they are proposing adding a landscaping buffer to get to 7.4 feet. He stated that they are asking for a few different variances from the code, but that they are better than the existing conditions.

Mr. Perry stated that they are asking for two different options with the final PUD to leave the existing Armanetti's building with added parking behind the building, which will exceed code based upon retail use, but they are not sure what the use will be. He stated that option one would be to modify the existing building, and option two is take down Armanetti's and put up a new 5,000 square foot retail building. He stated that a new building would have better circulation and parking throughout. He stated that if they get a tenant that requests a drive-through, they would come back for a Special Use. He stated that the site plan is set for a drive through.

Mr. Perry stated that the site is partially in Wheaton and is being annexed into Carol Stream, all the utilities will be switching to Carol Stream, and they are providing adequate room for the water main loop to come through the site. He stated that the sanitary sewer is Wheaton sanitary district and adequate utilities are set up. He stated that there is existing storm sewer on Geneva Road and they are bringing it in to the site. He stated that storm water detention is not required for the site.

Mr. Perry stated that there are some BMP requirements and they are satisfying those by providing permeable pavers in some of the parking surfaces.

Mr. Kasson stated that in order to meet the shared parking requirement, they are increasing the parking for the 7-11 from a required 16 spaces to 40 spaces, which would satisfy parking requirements for the other building if a more intensive use were to occupy the building.

Mr. Perry introduced Mr. Yousef Ghori.

Mr. Ghori stated that the exterior elevations for lot one would have a façade that is prototypical to 7-11. He stated that it's one of their nicer prototypes. He stated that they are looking for some flexibility with the options for lot two.

Mr. Ghori stated that one of the options would be to add fiber cement materials to the existing building facade for interest, and the other option would be an all new masonry building with contrasting bricks, a masonry stone base, and metal canopies. He stated that they need flexibility with regards to what potential tenants might want as it relates to their own trade.

Mr. Kasson covered the standards in the Staff Report stating that the development of the site offers public convenience, makes the site more attractive, won't endanger public health, safety or morals, and not injurious to other properties and won't depreciate properties, among other standards.

Mr. Kasson requested clarifying language that states that the final occupancy would not be impeded for the 7-11 if landscaping can't be provided during the winter.

Chairman Parisi asked for questions from the audience. There were none.

Chairman Parisi asked Mr. Farace for the Staff Report.

Mr. Farace stated that petitioner is requesting a zoning map amendment to rezone the corner to B-3 Service District upon annexation, a zoning map amendment to rezone the north and east parcels from B-2 General Retail District to B-3; a plat of resubdivision; a Special Use permit for a business planned business planned unit development; Special Use permit for an auto service station; final PUD plan approval for the two commercial lots; and a sign code variation to allow off premises signage in the form of monument signs at the two driveway locations on Schmale and Geneva Roads, that would indicate tenant panels for tenants on both of the lots.

Mr. Farace stated that Vequity Holdings is the contract purchaser of the three parcels at the northeast corner of Schmale and Geneva Roads, and is proposing a commercial or a business PUD with gas station, or an auto service station, along with a 3500 square foot 7-11 convenience store on the southernmost lot, and a potential for two options on the northernmost lot to either maintain, modify, and update the existing building with additional parking to the east, or to demolish that building and construct a new one with one or more tenants.

Mr. Farace stated that there is a parking chart in the Staff Report, and that parking is more than adequately met with both options. He stated that it exceeds zoning code requirements with the concept of shared parking being proposed depending upon what use or uses, or tenant or tenants, would be on that northernmost lot. He stated that Staff feels comfortable with supporting the configuration of shared parking with both lots.

Mr. Farace stated that several of the current driveways will be closed off and there will be two curb cuts; one curb cut along Schmale Road that will be shared between the lots, and then one driveway on Geneva Road that will be right in-right out intersection which have to be reviewed and approved by the DuPage County Department of Transportation.

Mr. Farace stated that there are a number of exemptions that are being requested in conjunction with the final PUD plans that are outlined in the Staff Report, such as, for lot one, a reduction of the front yard building setback along Schmale Road from a 100 feet to 81 feet; a reduction of the rear yard building setback from 40 feet to 34 feet; a reduction of the front yard parking setback along Schmale Road from 20 feet to 7.5 feet; and a reduction of the east setback from 35 feet to 18 feet for the air and vacuum equipment that are proposed for the gas station. He stated for both options on lot two, a front yard parking setback reduction is requested to reduce the setback from 20 feet to 8 feet along Schmale Road; and then, depending on the option, a front yard building set back along Schmale Road from a hundred feet to either 55 feet or 76 feet.

Mr. Farace stated that Staff feels comfortable with supporting these exemptions. He stated that even with combining all three lots, the size of the development is about 1.66 acres, which is small for all uses being proposed. He stated that if all setbacks were met, the lot may not be developable.

Mr. Farace stated that Staff feels comfortable with supporting the two options for the northernmost lot. He stated that Staff included a condition of approval that the northernmost lot must look as if it is a completed lot. He stated that lot one has a tenant and a use that is moving forward. He stated that lot two will be determined by what the market will bring in, but the site work must be completed in conjunction with lot one, in order to give a Certificate of Occupancy to 7-11.

Mr. Farace stated that three signs are proposed, one at the corner which will be the gas station price sign, and two tenant panel signs that are proposed near the Geneva Road and the Schmale Road driveways that will have tenant panels indicating the 7-11 name, along with space for the name of potential tenant or tenants of the building on lot two. He stated that since the PUD is going to be two

lots, and the signs are going to indicate names of businesses on both of those lots, therefore it is considered off premise signage.

Mr. Farace stated that Staff would normally have concerns with allowing off premise signage, but is supportive in this case given that the development is going to look as if it is one development. He stated that, as a condition of approval, the signs will be designed to have same masonry as a base.

Mr. Farace stated that all three parcels will be rezoned to B-3, that the corner lot will be rezoned upon annexation, and the northernmost and the east parcels will be rezoned from B-2 to B-3. He stated that other parcels in this area have the B-3 service district designation, and Staff is fully supportive of the rezoning requests.

Mr. Farace stated that Staff is supportive of the plat of subdivision request, and is recommending approval of the project with the conditions listed.

Chairman Parisi asked for questions from the Commission. Commissioners Meneghini, Christopher, and Battisto had none.

Commissioner Tucek asked if the fuel truck can enter and exit safely.

Mr. Ileki stated that both Vequity and 7-11 have done computer simulations, and feels confident that the trucks can get in and out without a problem. He stated that the pork chop that's in the middle of the right in-right out on Geneva Road is mountable so the truck can drive over it, but a car can't.

Chairman Parisi asked how 7-11 controls which way the truck is going to come in. He stated that he envisions the truck going south on Schmale Road.

Mr. Akroyd stated that they have an extensive fuel team in Dallas who approves truck routes, and stated that they supply their own fuel. He stated that they don't pursue the site if the truck route is not the safest and most effective route.

Chairman Parisi asked Mr. Akroyd if he was confident that 7-11 is going to recommend to their drivers that they go westbound on Geneva Road versus going southbound on Schmale.

Mr. Akroyd stated that the truck routes have to go through extensive parameters with measurements, that it's computer drawn, and that it can make it safely in and a safely out.

Commissioner Morris asked what the status is of the annexation process.

Mr. Kasson stated that there is an intergovernmental agreement that was signed this past summer between Carol Stream and Wheaton. He stated that it refers to Wheaton disconnecting, and the terms and provisions after disconnection that would take place. He stated that it can't be annexed yet because they don't own the property. He stated that they can't disconnect now because, if for some reason the other two properties don't close, the current owner doesn't want to be in Carol Stream as an automatic non-conforming use. He stated that the structure is in place as soon the three properties close, and that under the development agreement is a form petition to disconnect and annex. He stated that they are present this evening to have all approvals in place.

Commissioner Meneghini asked if Wheaton is on board with the disconnection.

Mr. Kasson stated that they signed an intergovernmental agreement in July of 2019.

Mr. Bastian explained that initial hurdle that had to be gotten over because the corner piece is in the city of Wheaton and remains that way today. He stated that the inter-government agreement has been signed by both communities and it lays out the next steps.

Chairman Parisi asked if the petitioner is proposing any signage that says Amoco or 7-11 on the gas canopies, as it is not in the elevations.

Mr. Kasson stated that he was sure there will be 7-11 signage that would have to comply with sign requirements.

Mr. Ilekis stated that there is 7-11 branded canopy with the corner sign having the Amoco logo.

Chairman Parisi asked Mr. Farace if the logo were proposed, would it fall within the zoning requirements for signage.

Mr. Farace stated that it would.

Chairman Parisi asked Mr. Farace to clarify that the Staff recommendation says that the development of lot one is a given, and that inclusive with the occupancy of lot one is the just site development of lot two without the building.

Mr. Kasson stated that was correct, the parking, curbs, underground utilities, perimeter landscaping, etc., but not the building. He stated that the Armanetti building is under contract.

Chairman Parisi asked if Armanetti's was going to stay in the building or vacate.

Mr. Kasson stated they would vacate.

Chairman Parisi asked if the building improvements would be part of the overall development.

Mr. Kasson stated that the sign would be removed, but the building would look the same until there is a tenant.

Mr. Ilekis stated that, in order for the site to work for 7-11, the access point on Schmale Road needed to be a further north which aligned with the Armanetti's property and required the assemblage of that property. He stated that Vequity represents 7-11 but they won't go public with marketing it for the adjacent building, but that the site work would be completed.

Chairman Parisi stated that he would prefer to see the entire development developed so that it actually looks homogeneous to the corner and give a nice presence the community.

Mr. Ilekis stated that they are proposing renovating the existing building in one of the scenarios, and that the question is the extent of the renovation and the coordination of the requirements for whoever the future tenant may be. He stated that their intent is to work with high quality retailers, and that it would not be left in its existing condition, but some elements would remain.

Chairman Parisi stated that his concern is that if there were no second tenant the second parcel is not going to get developed.

Mr. Ilekis stated that they are motivated. He stated that the intent is not just to do 7-11 and leave the other building, which is why they are doing costly improvements.

Chairman Parisi asked if there would be a recommendation to the petitioner that if they were to get a new tenant, working within the guidelines, that they would actually provide improvements to the elevations of lot two as part of the PUD and as part of their development of that site.

Commissioner Battisto stated that he doesn't want too much of a restriction to make improvements and have them waste money. He suggested a time limit for the building to stay as is before improving it.

Chairman Parisi stated that it would be up to Staff.

Chairman Parisi asked for a motion to recommend approval of Case #19-0036 with Staff recommendations.

Commissioner Battisto moved and Commissioner Meneghini seconded the motion.

The results of the roll call vote were:

Ayes: 6 Commissioners Christopher, Meneghini, Tucek, Battisto, Morris and Chairman Parisi.

Nays: 0

Abstain: 0

Absent: 1 Commissioner Petella

The motion was unanimously approved.

This case will go before the Village Board of Trustees at a future date for formal approval.

Chairman Parisi asked for a motion to close Public Hearing.

Commissioner Meneghini moved and Commissioner Battisto seconded the motion.

The motion was unanimously approved.

PRESENTATION:

NEW BUSINESS:

Chairman Parisi asked for a motion to cancel the meeting scheduled for December 23, 2019.

Commissioner Battisto moved and Commissioner Tucek seconded the motion.

OLD BUSINESS:

OTHER BUSINESS:

ADJOURNMENT:

At 8:13pm Commissioner Meneghini moved and Commissioner Battisto seconded the motion to adjourn the meeting.

The motion passed by unanimous vote.

FOR THE COMBINED BOARD

Recorded and transcribed by,

Jane Lentino
Community Development Secretary

Minutes approved by Plan Commission on this ____ day of _____, 20____.

Chairman

Village of Carol Stream Plan Commission/Zoning Board of Appeals

STAFF REPORT

January 27, 2020

TO:
Chairman and Plan
Commissioners

FROM:
Community Development
Department

CASE MANAGER:
Tom Farace, Planning &
Economic Development
Manager

ACTION REQUESTED:
The applicant is requesting a
variation in accordance with
Section 16-13-2 (F)(1)(d) of the
Carol Stream Zoning Code to
allow a commercial vehicle
having an "F" license plate to be
parked on a driveway in a
residential district

APPLICANT/ CONTACT:
Mr. Jaime Merlo
177 El Paso Lane
Carol Stream, IL 60188



CASE #: 19-0046

LOCATION: 177 El Paso Lane

PROJECT NAME: Merlo Residence



LOCATION	ZONING DISTRICT	LAND USE	COMPREHENSIVE PLAN DESIGNATION
Subject Property	R-2 One-Family Residence District	Single-Family Residential	Single-Family Residential
North	R-2 One-Family Residence District	Single-Family Residential	Single-Family Residential
South	R-2 One-Family Residence District	Single-Family Residential	Single-Family Residential
East	R-2 One-Family Residence District	Single-Family Residential	Single-Family Residential
West	R-2 One-Family Residence District	Single-Family Residential	Single-Family Residential

The subject property outlined above in red is located at the northwest corner of El Paso Lane and Eagle View Drive.

Site Assessment

COMPREHENSIVE PLAN DESIGNATION:

The subject property is designated for single-family residential use according to the Village's Comprehensive Plan.

AERIAL PHOTOGRAPH:



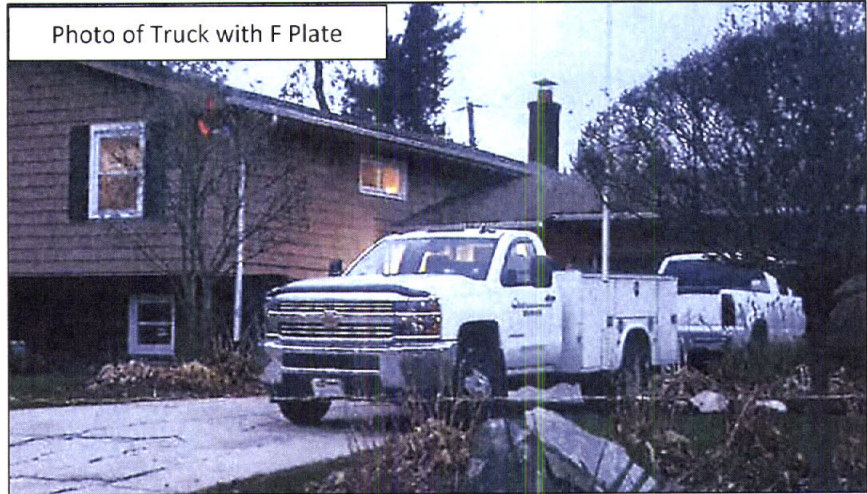
Project Summary

ATTACHMENTS:

Attached for review is the General Application, Variation Application, Cover Letter dated December 7, 2019 and January 5, 2020, Letter from Charles Equipment Energy Systems dated January 2, 2020, Letter of Support dated January 5, 2020, Public Notice, Photos of Truck, and Plat of Survey for the subject property.

BACKGROUND:

The applicant, Jaime Merlo, is requesting a variation in accordance with Section 16-13-2(F)(1)(d) of the Carol Stream Zoning Code to allow a commercial vehicle, bearing a State of Illinois Class “F” license plate, to be parked at the single-family residential property at 177 El Paso Lane. Mr. Merlo is a service technician for Charles Equipment Energy Systems, and according to a letter provided by the President of the company, is required to keep his service truck at his home at 177 El Paso since he is on-call 24 hours a day. The Merlo family purchased the property in 2019, and was unaware that a commercial vehicle was not allowed to be parked at a residential property, and is now seeking approval of a variation.



Staff Analysis

VARIATION TO PARK A COMMERCIAL VEHICLE IN A RESIDENTIAL DISTRICT

Section 16-13-2 (F) (1)(d) states the following:

“No commercial vehicles bearing a class designation other than A or B under the provisions of 625 ILCS 5/3-801 et seq. shall be parked or stored on any residential premises classified as a Residential District, except when making a delivery or rendering a service at such premises.”

The vehicle at the subject property, a white Chevrolet Silverado truck with tool boxes along the sides, bears an “F” license plate, which allows the vehicle to carry between 12,001 and 16,000 pounds. According to the submitted cover letters, the applicant has indicated that the truck cannot fit in the home’s garage due to the truck’s length (the truck’s measurements are 20 feet, 6 inches in length by 7 feet, 5 inches in width by 6 feet, 4 inches in height). In addition, it was asked if the truck could be reclassified to a different license plate classification that may be allowed to be parked in a residential district; however, the truck’s weight and the need to tow portable generators to various sites (which increases the weight of the truck) would not allow the reduced plate classification.

As part of staff’s evaluation of this request, we have researched past variation applications seeking to allow the parking of commercial vehicles in the residence district. Our research illustrates that the Plan Commission and ultimately the Village Board have deemed it necessary that a unique circumstance be present in order for the variation to be approved. It should be noted that there have been very few cases for variation requests of this nature, but staff has provided summaries of four such cases on the following page.

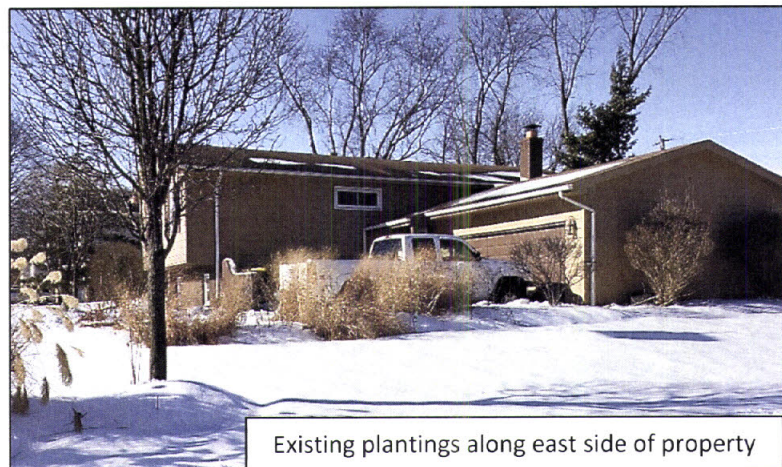
- 674 Stuart Drive / Case 93271 – In 1993, this applicant was an employee of a company that was under contract for state road maintenance. In order to respond to “on call” assignments within a one-hour guaranteed time period, the applicant was required to bring his “D” plated truck home at night. The case was continued once by the Plan Commission to give the applicant an opportunity to check the dimensions of the vehicle to determine whether it could be parked in his garage, as well as to provide the Plan Commission with photographs of the truck and equipment. It was determined that the vehicle would not fit in the garage, and the variation request was recommended for denial by the Plan Commission. In making their recommendation, the Plan Commission members believed that allowing such a variance would be precedent setting across the entire village and could encourage other variation requests to allow “D” plated vehicles to be parked in residential areas. The Village Board concurred with the Plan Commission recommendation.
- 667 Danbury Drive / Case 95218 – In 1995, this applicant worked for a carpet supply company and took his “D” plated work van home with him. The vehicle was a large white van that exceeded the weight classification of a typical “B” plated vehicle when carrying larger loads. The Plan Commission recommended approval of the variation request and expressed concerns with the use of license plate classifications to regulate commercial vehicles in residential districts, rather than regulating commercial vehicles in residential districts based on lettering or equipment such as ladders on the vehicles. The Village Board ultimately agreed with the Plan Commission and approved the request.
- 1434 Magnolia Drive / Case 02099 – In 2002, this applicant again had a “D” plated vehicle that was required to be parked at home for emergency response calls. The applicant worked for a company that repaired generators that served as the primary and back-up power sources for hospitals, schools, banks and fire and police departments. Similar to the 1993 case, the vehicle (a Ford F350 truck with a fiberglass service body) was too long to be parked in the garage. It was determined that the vehicle was actually eligible for a “B” plate designation, in which instance it would be permitted to be parked in the residence district. However, the applicant’s employer chose to register the vehicle with a “D” plate classification to enable it to tow heavier loads. The Plan Commission and Village Board ultimately approved the variation, subject to the condition that the applicant was not allowed to tow equipment home. When not towing equipment, the vehicle could essentially be considered as a “B” plated vehicle, which is allowed to be parked in residential districts.
- 207 Arapahoe Trail / Case 04097 – In 2004, this applicant requested approval to park his “H” plated truck on his driveway. The applicant was an independent mobile businessman involved with the sales and service of tools and ancillary equipment through Snap-On Tools. The applicant’s entire business was conducted within the vehicle, and the vehicle was too large to fit inside the garage. The Plan Commission recommended denial of the request due to the precedent-setting nature of allowing such a large vehicle to be parked at a residential property (basically the equivalent of a box truck). The applicant subsequently sought an off-site location for the vehicle.

The intent of the Zoning Code provisions pertaining to the parking of commercial vehicles in the residential districts is to preserve the aesthetic appeal and character of a residential neighborhood. If this variance is granted, the parking of the applicant's commercial vehicle on the property might not have a major impact on the surrounding residential neighborhood, but could perpetuate similar requests for commercial vehicles in residential neighborhoods. While staff is sympathetic to the applicant's situation, we have no choice but to recommend denial of the request. Having an "F" plate classification, the applicant's vehicle is permitted to weigh between 12,001 and 16,000 pounds. Staff believes that the applicant should explore other alternatives for the overnight and weekend parking and storage of the vehicle, and be prepared to discuss these options at the Plan Commission meeting.

Should the Plan Commission believe it is suitable to allow the parking of the "F" plated vehicle at the subject property based on the nature of the applicant's employment, staff recommends that the approval be subject to additional conditions, including the following:

- The variation is granted to the subject vehicle only, or a vehicle of similar size and license plate classification.
- The owner shall not be permitted to bring or store additional equipment within the vehicle when it is parked at the residence.
- When parked at the residence, the vehicle shall be parked in the northeast quadrant of the driveway and closest to the garage so it is visually blocked by the house on its west side and landscaping on its east side.

- The existing landscaped area to the east of the driveway is augmented or replaced with evergreen shrubs that are a minimum of 36 inches in height to provide a solid screen of the vehicle. Right now, existing plant material consists of deciduous shrubs that will not provide year-round screening. Shrubs should be spaced a maximum of three feet apart on center,



and run south along the east side of the driveway approximately 30 feet, or the length of the landscaped area. Said landscaping should be installed by May 15, 2020.

- The variation is specifically granted to Jaime Merlo and his employment with Charles Equipment Energy Systems. Should Mr. Merlo obtain new employment or sell the property, the variation does not "run with the land" and will automatically become null and void.

It should be noted that, as part of the applicant's submittal, a letter of support was provided from neighbors from the properties that are adjacent to the west, across EL Paso Lane, and across Eagle View Drive (see attached).

VARIATION FINDINGS OF FACT

With regard to any variation, the Zoning Board of Appeals shall not recommend a variation unless it shall make findings based upon the evidence presented to it in the following case, as per Section 16-15-6(D) of the Zoning Code:

- 1. The property in question, other than a single-family lot, cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

The property in question is a single-family lot, and this criterion is not applicable.

- 2. The plight of the owner is due to unique circumstances.

Staff is not aware of a unique circumstance in this case. There are likely other residents in Carol Stream that would prefer to park their work vehicles at home than have had to make other arrangements in order to comply with Village Code standards.

- 3. The variation, if granted, will not alter the essential character of the locality.

Village codes have been designed with the general intent of reducing business or commercial encroachments in residential areas to avoid a reduction in the quality of life of residents and the aesthetic appeal of residential neighborhoods. As this vehicle is used for a commercial enterprise, the variation, if granted, may alter the essential character of the locality.

- 4. The plight of the owner is due to the failure of a previous owner of the property in question to follow then-applicable ordinances or regulations, and where the benefit to health, safety or appearance to be derived from correcting the nonconformity would not justify the cost or difficulty of the correction.

The plight of the owner is not due to the action of a previous property owner, and this criterion is not applicable.

- 5. The particular physical surroundings, shape, or topographical conditions of the specific property involved bring a particular hardship upon the owner as distinguished from a mere inconvenience.

Staff does not believe the physical surroundings, shape and topographical condition of the property bring about a hardship in this case.

6. The conditions upon which the petition for the variance is based would not be applicable generally to other property within the same district.

Regulations regarding the parking of commercial vehicles in residential districts is prohibited according the Zoning Code. As such, these conditions would be applicable to other property within the same zoning district.

7. The granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

Staff does not believe that the variation, if granted, would be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood. However, if approved, staff would be concerned about the potential precedent-setting nature of this request, since we do not believe that the request satisfies all of the evaluation criteria for variations.

Recommendation

While staff understands the nature of the applicant's request, we do not believe that the evaluation criteria for variations have been satisfied. For this reason, staff cannot support the requested variation. However, if the Plan Commission/Zoning Board of Appeals were to determine that the evaluation criteria were in fact satisfied, staff has provided conditions in the staff report which may be included as conditions of approval. Staff recommends denial of the requested variation to allow a commercial vehicle having an "F" license plate to be parked on a driveway in a residential district for the property at 177 El Paso Lane, Case 19-0046.



Do Not Write in This Space
 Date Submitted: 12/9/19
 Fee Submitted: 640.00
 File Number: 19-0046
 Meeting Date: 1/29/20
 Public Hearing Required: Y

Village of Carol Stream

500 N. Gary Avenue ▪ Carol Stream, IL 60188

PHONE 630.871.6230 ▪ FAX 630.665.1064

www.carolstream.org

FORM A

**GENERAL APPLICATION
 PUBLIC HEARINGS AND DEVELOPMENT APPROVAL REQUESTS**

1. Name of Applicant Jaime Merlo Phone 630-862-0502
 Address 177 EL PASO LN. CAROL STREAM, IL. 60188 Fax _____
 E-Mail Address JaimeMerlo54@gmail.com
 (required)
 Name of Attorney _____ Phone _____
 (if represented)
 Address _____ Fax _____
 Name of Owner Jaime Merlo Phone 630-862-0502
 (required if other than applicant)
 Address 177 EL PASO LN. CAROL STREAM, IL. 60188 Fax _____
 Name of Architect _____ Phone _____
 (if applicable)
 Address _____ Fax _____
2. *Common Address/Location of Property 177 EL PASO LN. CAROL STREAM, IL. 60188
3. Requested Action (check all that apply)
- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Gary/North Avenue Corridor Review |
| <input type="checkbox"/> Planned Unit Development – Preliminary | <input checked="" type="checkbox"/> Text Amendment |
| <input type="checkbox"/> Planned Unit Development – Final | <input checked="" type="checkbox"/> Variation – Zoning (requires Form B-1) |
| <input type="checkbox"/> Special Use Permit (requires Form C) | <input type="checkbox"/> Variation – Sign (requires Form B-2) |
| <input type="checkbox"/> Subdivision – Preliminary | <input type="checkbox"/> Variation – Fence (requires Form B-3) |
| <input type="checkbox"/> Subdivision – Final | <input type="checkbox"/> Zoning Change |
| | <input type="checkbox"/> Other |

Describe requested action Variation - Zoning

- REQUESTING PERMISSION TO PARK MY SERVICE TRUCK (2015 CHEVROLET 3500) IN DRIVEWAY PROVIDED BY MY EMPLOYER (CHARLES EQUIPMENT ENERGY SYSTEMS. TO PROVIDE WELFARE & SUPPORT MY FAMILY.

4. After referring to the specific process handout(s) relevant to this application, please indicate below the items that are included with the submittal.

- General Application (Form A)
- General Variation Application (Form B-1)
- Sign Code Variation Application (Form B-2)
- Fence Code Variation Application (Form B-3)
- Special Use Application (Form C)
- Application for Development Approval (Form D)
- Gary/North Avenue Corridor Application (Form E)
- Plat of Survey with Legal Description
- Site Plan
- Landscape Plan
- Plat of Annexation
- Preliminary Subdivision Plat
- Final Subdivision Plat
- Preliminary Planned Unit Development Plan
- Final Planned Unit Development Plan
- Drawings of Proposed Signs
- Horizontal Building Elevations
- Floor Plan
- Proof of Ownership or Written Consent From Property Owner
- Project Narrative/Cover Letter
- Total Application Fee \$ \$640.00

Please submit three (3) full size drawings and one legible 11 by 17 inch reduced reproducible copy of full size drawings, along with a USB flash drive with plans and associated documents saved as pdf or zip files. Additional sets of plans may be required for certain applications. Please contact Village staff with any questions concerning the submittal requirements. **Full size drawings should be folded not rolled.**

5. Applicant Certification

*I authorize the Village of Carol Stream to install a temporary sign or signs on the property having the common address indicated in Item 2 on this form, for the purpose of notifying the public of the upcoming public hearing, once the hearing has been scheduled.

I have reviewed a copy of the informational handout(s) for the zoning process(es) for which I am making an application. I am familiar with the code requirements which relate to this application and I certify that this submittal is in conformance with such code(s).

I understand that incomplete or substandard submittals may increase the staff review time and delay scheduling of the public hearing. I also understand that, per § 6-13-6 of the Municipal Code, the Village's costs of legal reviews, structural engineering review, and other special reviews determined to be necessary by the Community Development Director, performed by means of consultant services, shall be paid at the billed rate to the Village by the applicant.

James M. DLO
Print Name

[Signature]
Signature

12-7-2019
Date

Village of Carol Stream

500 N. Gary Avenue • Carol Stream, IL 60188

630.871.6230 • FAX 630.665.1064

e-mail: comdevelop@carolstream.org • website: www.carolstream.org

GENERAL VARIATIONS

In accordance with the applicable statutes of the State of Illinois, no variation shall be made by the Village Board except after a Public Hearing is held before the Zoning Board of Appeals.

Both the Zoning Board of Appeals and Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Code and if there is a practical difficulty of hardship in carrying out the strict letter of the regulations of the Zoning Code.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: (Please respond to each of these standards in writing below as it relates to your request.)

1. That the property in question, other than a single-family residential lot, cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

My service truck needs to be parked and available in my driveway for financial reasons and job duties. I need to be able to respond to emergency call-outs in a timely manner. To ensure routes to hospitals, municipalities and other organizations as fast as possible.

2. That the plight of the owner is due to unique circumstances.

As stated above, the ability to leave straight from home for work and to respond to 24/7 call-outs to any location, is a necessity to continue employment with my current employer and any other employer in the field in which I work.

3. That the variation, if granted, will not alter the essential character of the locality.

My service truck is a white 2015 Chevrolet 3500. It looks similar to a regular pick-up truck but has tool boxes along the sides. The truck is plain white with only small black script reading "Charts Equipment Energy Systems" & phone number on both cab doors. If needed I could cover up with white magnets. There are no ladder racks, or other equipment exposed.

4. That the plight of the owner is due to the failure of a previous owner of the property in question to follow then-applicable ordinances or regulations, and where the benefit to health, safety or appearance to be derived from correcting the nonconformity would not justify the cost or difficulty of the correction. The evidence must show that the current owner had no role in the creation of the nonconformity.

N/A

5. That the particular physical surroundings, shape, or topographical conditions of the specific property involved would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were carried out.

N/A

6. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same district.

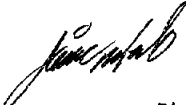
N/A

7. That the granting of the variation will not be detrimental to the public welfare or injurious to the other property or improvements in the neighborhood in which the property is located.

There are no flammable or hazardous items in the vehicle. The truck is maintained well, kept clean and has no visible rust.

8. Other pertinent information or reason for the request.

I am not able to park the vehicle in the garage because it is a little too big to fit inside. Having my service truck parked in my driveway is essential to my employment due to emergency call-outs. Without the ability to have my service truck parked in my driveway, I will not be able to perform my job duties or career and therefore have no means to support my family or our new home.


Jaime Merlo
630-862-0502

December 7, 2019

RECEIVED
DEC 09 2019
COMMUNITY DEVELOPMENT
DEPT

Jaime Merlo
177 El Paso Lane
Carol Stream, Illinois 60188

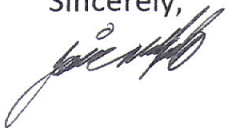
Dear Plan Commission/ Zoning Board of Appeal,

I am writing to you to request permission to park my service truck provided by my employer in the driveway at my home. My family and I moved in to our residence at 177 El Paso Lane in Carol Stream on July 31, 2019. We are very happy with the location, the village, and the academics and programs for our children.

I have been employed by Charles Equipment Energy Systems for over 7 years as a Senior Field Service Technician. My job duties consist of servicing, repairing and installing emergency diesel and natural gas generators and electrical distribution equipment. Our customers include primarily hospitals, municipalities, airports, humanitarian manufacturing, data centers and many others who are in need of emergency power in the case of a power outage. To ensure power is supplied by generators in the case of an outage, I am responsible to respond to emergency call-outs 24/7. I need to be able to leave my home in my service truck to be able to respond to the location of the outage in a timely fashion.

I ask that you may consider my request to allow me to keep my service truck parked in my driveway so that I can continue my profession which enables me to provide for my family. Please feel free to email me or call me with any questions. Thank you for your time and consideration in this matter.

Sincerely,



Jaime Merlo
(630) 862-0502
JaimeMerlo54@gmail.com

RECEIVED
JAN 06 2020
COMMUNITY DEVELOPMENT
DEPT

January 5, 2020

Tom Farace
Planning & Economic Development Manager
Village of Carol Stream
500 N. Gary Avenue
Carol Stream, IL 60188

**Re: Plan Commission/Zoning Board of Appeals Case #19-0046
Merlo Residence- 177 El Paso Lane / Variation- Commercial Vehicle Parking in a
Residential District**

Dear Mr. Farace:

In regards to the questions about the service truck parked at 177 El Paso Lane, the Merlo residence, I stated in the earlier submitted variation application that the truck cannot be parked in the garage. The truck does not fit in the garage because it is about 7 inches too long. This is measuring from the drywall on the back of the garage to the garage door. There are no modifications that can be done to the truck so that it will fit. There are no modifications, aside from complete reconstruction, of the garage that will allow the truck to fit. The measurements of the truck are 20'6" L x 7'5" W x 6'4" H.

Unfortunately, the service truck cannot be reclassified due to weight restrictions. My service truck weighs about 11,500 pounds. On top of that, I need a higher classification which allows me to tow a portable generator to a customer's site for temporary power if needed, until I can complete the repairs. A "B" license plate only allows up to 8,000 pounds.

Please feel free to contact me regarding any further information needed. Thank you very much.

Sincerely,

Jaime Merlo
177 El Paso Lane
Carol Stream, IL 60188
(630) 862-0502



– MIDWEST DISTRIBUTOR –

Specialists in Engine Power Systems

530 Santa Rosa Drive
Des Plaines, IL 60018
Phone (630) 834-6000
Fax (630) 543-4174

January 2, 2020

Mr. Tom Farace, AICP
Planning & Economic Development Manager
Village of Carol Stream
500 N Gary Avenue
Carol Stream, IL 60188-1899
Email: tfarace@carolstream.org

RECEIVED
JAN 06 2020
COMMUNITY DEVELOPMENT
DEPT

RE: Plan Commission/Zoning Board of Appeals Case #19-0046
Merlo Residence – 177 El Paso Lane / Variation – Commercial Vehicle Parking in a Residential District

Dear Mr. Farace:

This letter is to define the requirements of Mr Merlo's position within our company.

Charles Equipment Energy Systems is a provider and servicer of Emergency generator systems, much like those used by the Village for their 911, Police, Fire, Life Safety, and Public Works systems. As such, our company is on call for our customers 24 hours per day, 7 days a week, in the event their systems malfunction and require expert technical assistance to bring their systems back into proper working order.

Mr Merlo is a senior Technician within our company and is required to keep his service truck with him at all times as he is on call 24 hours per day. In the event we call Mr Merlo into service, it is vital for our customers sake, to make sure he can respond in the shortest possible time. Requiring our best technicians to house their service trucks at our shop defeats the purpose of a quick response.

We hope you understand that it is essential for Mr Merlo to house his service truck at his residence overnight.

Thank you,
Charles Equipment Energy Systems

Robert J Conway
President

A handwritten signature in black ink, appearing to read "Robert J Conway", written over a white background.

RECEIVED
 JAN 06 2020
 COMMUNITY DEVELOPMENT
 DEPT

January 5, 2020

Tom Farace
 Planning & Economic Development Manager
 Village of Carol Stream
 500 N. Gary Avenue
 Carol Stream, IL 60188

Re: **Plan Commission/Zoning Board of Appeals Case #19-0046**
177 El Paso Lane / Variation- Commercial Vehicle Parking in a Residential District

Dear Mr. Farace:

I have asked my neighbors for their support in the variation requested for my commercial vehicle to be parked in our driveway at 177 El Paso Lane. Please find below my neighbors' signatures stating they have no objection to the variation requested.

NAME	ADDRESS	EMAIL ADDRESS / PHONE NUMBER
JIM GRAF	175 EL PASO	jgraf@managemail.com 630-525-0028
Kate Brown	1911 EL PASO	KBROWN101213@gmail.com 224-315-3950
Barbara Sexton	186 EL PASO	basesxton1@comcast.net 630-462-7940
RON SZATKOWSKI	178 EL PASO LL.	RSZAT42@YAHOO.COM 847-702-3300
KENNETH KNAPP	445 EAGLEVIEW DR.	KNAPP@YAHOO.COM 630-668-1365

Please do not hesitate to contact me further. Thank you very much.

Sincerely,

Jaime Merlo
 177 El Paso Lane
 Carol Stream, IL 60188
 (630) 862-0502
 JaimeMerlo54@gmail.com

Certificate of the Publisher

Examiner Publications, Inc. certifies that it is the publisher of The Examiner of Carol Stream. The Examiner of Carol Stream is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the Village of Carol Stream, township of Bloomingdale, County of DuPage, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 times in The Examiner of Carol Stream, namely one time per week for 1 successive weeks. The first publication of the notice was made in the newspaper, dated and published on January 8, 2020 and the last publication of the notice was made in the newspaper dated and published on January 8, 2020. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Examiner Publications, Inc. has signed this certificate by Randall Petrik, its publisher, at The Village of Carol Stream, Illinois, on January 8, 2020.

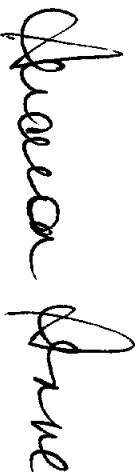
Examiner Publications, Inc.

By: Publisher 
Randall E. Petrik, Publisher, Examiner Publications, Inc.

Subscribed and sworn to before me this 8 day of January, A.D. 2020.

Notary Public





PUBLIC NOTICE

Notice is hereby given that the Carol Stream Plan Commission/Zoning Board of Appeals will hold a Public Hearing at the Carol Stream Gregory J. Bielawski Municipal Center, 500 N. Gary Avenue, on Monday, January 27, 2020 at 7:00 p.m. to consider an application from the Metro Residence for the following actions:

A Variation from Section 15-13-20(F)(1)(d) of the Carol Stream Zoning Code to allow for a commercial vehicle having an F-class license plate to be parked on a driveway in a residential district.

For the property located at 177 El Paso Lane, P.I.N. 02-32-102-022.

A copy of the Variation application is on file with the Community Development Department. All interested parties will be given an opportunity to be heard.

By order of the Combined Plan Commission/Zoning Board of Appeals, Village of Carol Stream, Illinois. Published in The Examiner on Wednesday, January 8, 2020.

Individuals with disabilities who plan to attend the hearing and who require certain accommodations in order to allow them to observe and participate, or who have questions regarding the accessibility of the meeting or require, are requested to contact the ADA Coordinator at 630-971-6250.

As published in The Examiner Jan. 8, 2020. 9108

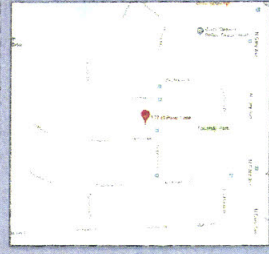
RECEIVED
DEC 09 2019
COMMUNITY DEVELOPMENT
DEPT



DEC 09 2019
COMMUNITY DEVELOPMENT
DEPT

EXACTA

LAND SURVEYORS, LLC



PROPERTY ADDRESS: 177 EL PASO LANE, CAROL STREAM, ILLINOIS 60188

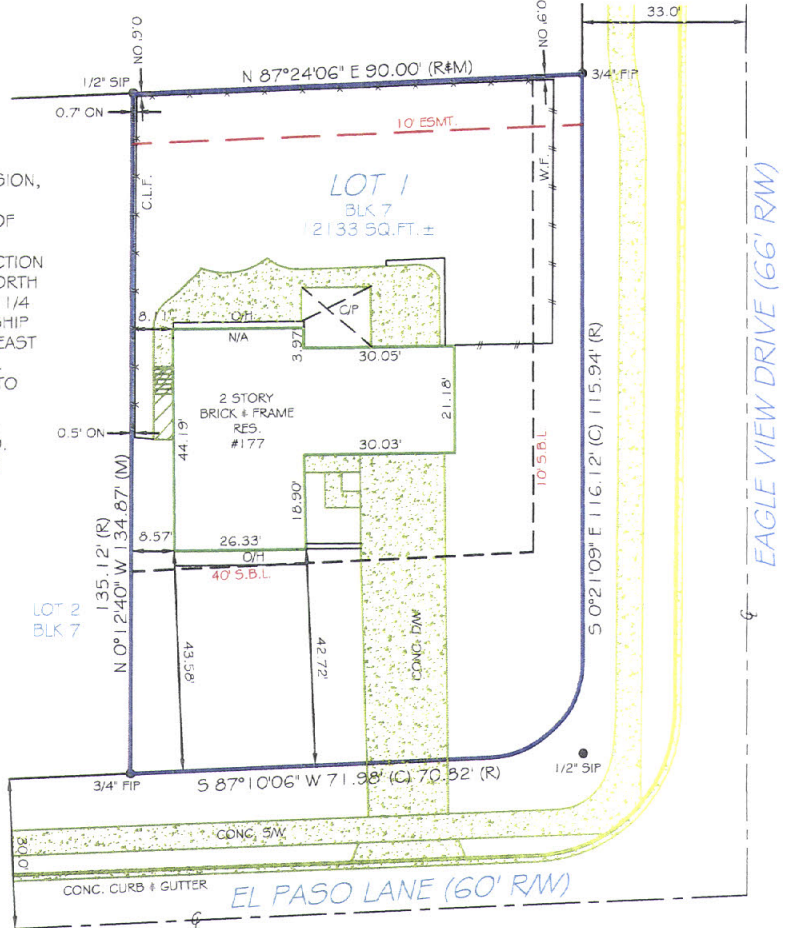
SURVEY NUMBER: 1907.0568

FIELD WORK DATE: 7/15/2019

REVISION DATE(S): (REV: 7/15/2019)

1907.0568
BOUNDARY SURVEY
DUPAGE COUNTY

LOT 1 IN BLOCK 7 IN HOLIDAY HILLS SUBDIVISION, UNIT 1, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 29 AND PART OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 1964 AS DOCUMENT NO. R64-29289, IN DUPAGE COUNTY, ILLINOIS.



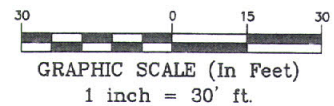
STATE OF ILLINOIS } 55
COUNTY OF DUPAGE }

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, GIVEN UNDER MY HAND AND SEAL THIS 15TH DAY OF JULY, 2019 AT 312 S. MALE STREET IN WHEATON, IL 60187.

Warren D. Johnson



ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2020
EXACTA LAND SURVEYORS
PROFESSIONAL DESIGN FIRM 184008059-0008



THE ABOVE SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE NUMBER IN THE BOTTOM RIGHT CORNER.

CLIENT NUMBER: DW19018025	DATE: 07/15/19
BUYER: JAIME O MERLO	
SELLER: JOSEPH CREDEDIO	
CERTIFIED TO: JAIME O MERLO; FIDELITY NATIONAL TITLE INSURANCE COMPANY	

POINTS OF INTEREST

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 LB# 184008059
 316 East Jackson Street, Morris, IL 60450
 Phone: 773.305.4011
 Please remit payment to: 2132 E 9th St, Suite 110 | Cleveland, OH 44115