

MINUTES  
VILLAGE OF HINSDALE  
HISTORIC PRESERVATION COMMISSION

March 11, 2014

Memorial Hall – Memorial Building, 19 East Chicago Avenue, Hinsdale  
5:00 P.M.

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Chairman Peterson called the meeting of the Historic Preservation Commission to order at 5:00 p.m. on March 11, 2014 in Memorial Hall in the Memorial Building, 19 East Chicago Avenue, Hinsdale IL.

Present: Chairman Peterson, Commissioner Bohnen, Commissioner Hutter,  
Commissioner Harloe-Mowery and Commissioner Gonzalez

Absent: None

Also Present: Village Planner, Sean Gascoigne

**Public Hearing**

**HPC-02-2013 – 319 N. Washington Street – Barrow Residence – Withdrawal of  
Local Landmarking (Transcript of the following Public Hearing on file).**

Chairman Peterson summarized the request and explained why the Board had remanded it back to them for their reconsideration.

Beth Barrow's introduce herself, provided a brief timeline of events and summarized the results of each meeting up until this point. She then provided additional information that she had acquired since last appearing before the Commission.

Chairman Peterson thanked the applicant and general discussion ensued regarding the request.

Commissioner Bohnen offered his thoughts regarding the request, indicating that he did not intend to change his vote, but suggested that he would be willing to work with the Commission and the Village Attorney to draft text amendment language that could hopefully establish a balance between the intended purpose of landmarking a home, while at the same time not discouraging residents from going through the process. He appreciated the sensitivity of the balance and noted that they should be able to find a solution.

Chairman Peterson entertained a motion. Commission Harloe motioned to approve the withdrawal of the local landmarking at 319 N. Washington Street. Commissioner Gonzalez seconded. The motion passed with the following vote: Ayes: Chairman Peterson, Commissioner Hutter and Commissioner Harloe. Nays: Commissioner Bohnen and Commissioner Gonzalez.

## **Minutes**

Chairman Peterson introduced the minutes from February 11, 2014. Commissioner Harloe made a motion to approve the February 11, 2014 minutes. Commissioner Gonzalez seconded. The motion passed unanimously.

## **Discussion**

Chairman Peterson continued with the agenda items and quickly summarized the various bullet points for discussion, including the mapping project and how he saw that moving forward.

General discussion ensued regarding the mapping project and the Commission suggested solutions on how to determine who published the original map and how best to illustrate the new one.

Chairman Peterson recognized the ideas and indicated that they would continue to look into this. He then opened conversation on Preservation Month and asked the Commission to touch on any progress they had made since last month.

Commissioner Gonzalez summarized his progress on the coloring contest and then general discussion ensued regarding the formatting and media types for the schools on the other contests.

Commissioner Harloe offered her thoughts on the preservation judging and indicated that she had received comments last year that nominated homes were not informed of their nomination, making things somewhat difficult.

Mr. Gascoigne indicated that letters are sent to every address that is nominated, informing them of the nomination. He then indicated that because many times the person nominating is not the homeowner, they do not have other sources of contact information to get in touch with them so unfortunately, mailing is still the only option in this situation.

General discussion ensued regarding the different contests and the Commission suggested expanding the distribution of the coloring contest to other kid's stores within the downtown.

Mr. Gascoigne indicated that he would be happy to look into it and see if it was possible.

Chairman Peterson summarized the Commission's efforts in trying to recruit two additional Commissioners and then asked if there were any additional comments.

Commissioner Harloe offered some final thoughts regarding the application for the withdrawal of the landmarking at 319 N. Washington.

General discussion ensued regarding the request, as well as the Commission's desire to pursue the discussion of the text amendment on their future agendas. The Commission agreed that they wanted to make the process friendly, but at the same time not so easy to withdraw from, indicating that it should serve its intent, without discouraging individuals

Historic Preservation Commission  
March 11, 2014

from pursuing it. They agreed that they would have to work through the language, but were confident they could find a balance.

**Adjournment**

Commissioner Harloe moved to adjourn. Commissioner Gonzalez seconded and the meeting adjourned at 5:55 p.m. on February 11, 2014.

Respectfully Submitted,

Sean Gascoigne  
Village Planner

## **HINSDALE HISTORIC PRESERVATION COMMISSION**

**RE: 319 N. Washington Street (Ed and Beth Barrow)  
Request for Withdrawal of Designation as Landmark Building –  
Case: HPC-02-2013**

**DATE OF HISTORIC PRESERVATION COMMISSION REVIEW: November 12, 2013,  
January 14, 2014 and March 11, 2014**

**DATE OF ZONING AND PUBLIC SAFETY REVIEW: January 27, 2014**

### **FINDINGS AND RECOMMENDATION**

#### **I. FINDINGS**

1. Ed and Beth Barrow (the “Applicants”) submitted an application under Section 14-4-1 of the Village Code of Hinsdale (the “Village Code”) to the Village of Hinsdale (“Village”) to withdraw the landmark designation for the structure located at 319 N. Washington Street (the “Subject Building”). The Applicants are the owner of record of the Subject Building.
2. The original portion of the Subject Building was constructed in 1870, with an addition made in the late 1890’s or early 20<sup>th</sup> Century, and another made in 1993. The original building was moved to the current site in the late 1890’s.
3. The Subject Building was the first landmarked single-family structure in the Village of Hinsdale in 2001. At the time, the Applicants believed that landmarking of the Subject Building would serve as a catalyst to landmarking and preservation of other structures in the immediate neighborhood.
4. A landmark designation may be withdrawn, so long as one of the conditions set forth in Section 14-4-1 of the Village Code are satisfied. The Applicants contend that the following condition has been satisfied: “A. The structure, building, site, or area has ceased to meet the criteria for designation because the qualities which caused it to be originally designated have been lost or destroyed, or such qualities were lost subsequent to nomination, but before designation.”
5. The Applicants made a presentation to the Historic Preservation Commission on November 12, 2013 and on January 14, 2014, stating that their landmarking designation had not served as a catalyst as they had hoped and intended. Instead they felt the historical integrity of the neighborhood had been compromised by several tear-downs and substantial additions over the years and as such, the area as a whole has ceased to meet the criteria necessary to justify the landmark status for the Subject Building.
6. The Applicants further contend that the changes in the neighborhood over the years, including tear-downs and additions, have caused the landmark designation of the Subject Building to change from a positive to a negative, as the designation and restrictions it carries

now adversely impact the marketability and value of their home relative to other homes in the neighborhood.

7. While the Applicants have no immediate plans to sell, tear down, or otherwise change the exterior appearance of the Subject Building, they contend that landmark status is no longer appropriate, and request that the designation be withdrawn.
8. While certain Commissioners at the January 14<sup>th</sup> Historic Preservation meeting felt that the Applicants had satisfied the standards necessary to withdraw the landmark status, other Commissioners felt that because the applicant had no intention of selling or tearing down the home, and they had not consulted a realtor to establish the financial impact of the landmark status on the home, they were not convinced that the standards had been met. The vote on recommending the withdrawal was two (2) in favor and two (2) opposed.
9. The Applicants made a presentation to the Board of Trustees on February 18, 2014 requesting the landmark status be withdrawn. After deliberations and discussions, the Board indicated that the 2-2 vote sent forward from the Historic Preservation Commission did not constitute a recommendation as required by the Preservation Ordinance and as such, remanded the case back to the Historic Preservation Commission to obtain an official recommendation.
10. On March 11, 2014, the Applicants provided a timeline of events, summarized the request and reiterated their position as to why they felt they should be permitted to remove the landmark status.
11. The Historic Preservation Commission generally finds that, based on the Application and the evidence presented at the November 12, 2013, January 14<sup>th</sup>, 2014 and March 11, 2014 meetings, the Applicants had satisfied the standards in Sections 14-4-1 of the Zoning Code applicable to withdrawal of the designation of the landmark status. Specifically, the Historic Preservation Commission finds that the Applicants have established that the "structure, building, site or area has ceased to meet the criteria for designation, because the qualities which caused it to be originally designated have been lost or destroyed." Among the evidence relied upon by the Historic Preservation Commission were the fact that the Applicants are the same individuals who originally requested the landmark designation, testimony given by the Applicants, as well as several documents submitted and considered for the January 14<sup>th</sup>, 2014, Historic Preservation Commission meeting, copies of which are attached hereto as **Group Exhibit A**.

## **II. RECOMMENDATION**

The Village of Hinsdale Historic Preservation Commission, on a vote of three (3) "Ayes," and two (2) "Nays" following a motion to recommend approval of the Applicant's request to withdraw the landmark designation on the Subject Building located at 319 N. Washington, recommends the approval of the request to the President and Board of Trustees.

HINSDALE HISTORIC PRESERVATION COMMISSION

By: \_\_\_\_\_  
Chairperson

Dated this 8<sup>th</sup> day of April, 2014.

The HPC is proposing a text amendment outlined below.

The intent is to provide further clarity that a Home Owner of a Landmarked Historic Home can apply for the Certificate of Appropriateness based if the economically viable use of the land exceeds the value of the Home and the Home Owner does not have the financial means to continue to maintain the Home. This would allow the home to be demolished.

## Chapter 5

### Certificate of Appropriateness

#### 14-5-2 (current ordinance)

##### A. General Standards:

2. The distinguishing original qualities or character of a structure, building, or site and its environment should not be destroyed. No alteration or demolition of any historic material or distinctive architectural feature should be permitted except when necessary to assure an economically viable use of a site.

#### 14-5-2 (Proposed Text Amendment)

##### A. General Standards:

2. The distinguishing original qualities or character of a structure, building, or site and its environment should not be destroyed. **No alteration, demolition, or demolition** of any historic material or distinctive architectural feature should be permitted except when necessary to assure an economically viable use of a site.

HPC – Preservation Month 2014

Draft Prize List

Revised May 2, 2014

**Coloring Contest – 4-5 year olds**

1<sup>st</sup> prize

5 lessons at Deep Creek Art

2<sup>nd</sup> prize

3 lessons at Deep Creek Art

**Coloring Contest – 6-8 year olds**

1<sup>st</sup> prize

5 lessons at Deep Creek Art

2<sup>nd</sup> prize

3 lessons at Deep Creek Art

**Coloring Contest – 9-10 year olds**

1<sup>st</sup> prize

5 lessons at Deep Creek Art

2<sup>nd</sup> prize

3 lessons at Deep Creek Art

**Architectural Elements Mixed Media (Middle Schools)**

1<sup>st</sup> prize

Workshop with local Photographer

2<sup>nd</sup> prize

Workshop with Photographer

3<sup>rd</sup> prize

Workshop with Photographer

**Black and White Medium (Hinsdale Central High School)**

1<sup>st</sup> prize

Starbucks and or Hinsdale gift card

2<sup>nd</sup> prize

Starbucks and or Hinsdale gift card

3<sup>rd</sup> prize

Starbucks and or Hinsdale gift card



STATE OF ILLINOIS    )  
                           )   ss:  
 COUNTY OF DU PAGE    )

BEFORE THE HINSDALE  
 HISTORIC PRESERVATION COMMISSION

In the Matter of:                 )  
   )  
 319 N. Washington Street        )  
 CASE NO. HPC-02-2013.            )

CONTINUED REPORT OF PROCEEDINGS had and  
 testimony taken at the hearing of the above-  
 entitled proceedings before KATHLEEN W. BONO, of  
 the Hinsdale Historic Preservation Commission,  
 at 19 East Chicago Avenue, Hinsdale, Illinois,  
 on the 11th day of March, A.D. 2014, at the hour  
 of 5:00 p.m.

BOARD MEMBERS PRESENT:

MR. SCOTT PETERSON, Chairman;  
 MR. JOHN BOHNEN, Member;  
 MR. CHRISTOPHER HUTTER, Member;  
 MR. FRANK GONZALEZ, Member;  
 MS. STACEY HARLOE-MOWERY, Member.

1 ALSO PRESENT:

2 MR. SEAN GASCOIGNE, Village Planner;

3 MS. BETH BARROW, Applicant;

4 MR. ED BARROW, Applicant.

5

6

7 CHAIRMAN PETERSON: I'd like to open  
8 the public hearing. Anyone that needs to speak  
9 needs to be sworn in.

05:03:32PM

10 (Mr. & Mrs. Barrow were duly  
11 sworn in to testify.)

12 CHAIRMAN PETERSON: This is basically a  
13 revote of unlandmarking the Barrow residence at  
14 319 North Washington. We voted and it was a 2-2  
15 vote and per the ordinance, we need to provide  
16 direction as far as a clear direction so a draw  
17 doesn't work.

18 At this point, does the applicant  
19 want to say any words or speak to us?

05:04:32PM

20 MS. BARROW: Somehow the term Groundhog  
21 Day has come to mind today, but I'm glad to see  
22 all five of you here today.

1 I want to quickly review what we  
2 have done at the other three meetings. Beth  
3 Barrow, 319 North Washington Street.  
4 July 2013, we requested our  
5 historic landmark status withdrawn due to  
6 changes on our street of 3rd block North  
7 Washington which has had five original houses  
8 demolished since 1995 and one house at 314 North  
9 Washington currently being deconstructed. This

05:05:05PM

10 leaves only four original houses including ours  
11 amongst new millennials. We no longer have a  
12 historic presence on our block.

13 November 12, 2013, our initial  
14 meeting regarding our request. The commission  
15 did not have a copy of the code. Three  
16 commissioners were present. Due to the  
17 commission's confusion over the specifics of the  
18 ordinance language, a request to continue  
19 hearing at later date was requested.

05:05:34PM

20 January 6, 2014, meeting with Scott  
21 Peterson, Sean and by phone with Michael Marrs,  
22 village attorney. Mr. Peterson requested the

1 meeting to review Section 14-4-1, the conditions  
2 for withdrawing a landmark designation. I'm  
3 assuming you all have this paperwork by now; is  
4 that right? Mr. Marrs advised that Section  
5 14-4-1 could be applicable.

6 January 14, 2014, continuation of  
7 hearing before the Historic Preservation  
8 Commission. Four commissioners were present and  
9 there was no discussion other than Mr. Bohnen's

05:06:10PM

10 conclusion that since we are not currently  
11 marketing our house, then the landmark  
12 designation has no affect on our property  
13 concerns us. Ultimately we are responsible for  
14 disposing of our property. We are hoping that  
15 we are able to live in our house until death.  
16 On our block in the past 20 years that method of  
17 disposing of property of houses has become  
18 tearing down the house, dealing with the  
19 homeowner trying to sell the house itself. This  
20 view seems to be reinforced by a January 23,  
21 2014, article in The Hinsdalean in which  
22 Mr. McGinnis, building commissioner and director

05:06:40PM

1 of community development, states since 2005 with  
2 127 permits for new homes, we currently saw 52  
3 homes, 48 demolitions in 2013 representing a  
4 27 percent increase over the previous year. He  
5 anticipates a highly active building season. In  
6 the same article the owner of Tiburon Homes  
7 reports a very busy construction season with  
8 primary concerns of buyers for finding land with  
9 larger lots and no desire for smaller homes.

05:07:16PM

10 This seems to contradict what was reported at  
11 our first meeting with the commission. But it  
12 does reinforce John Bohnen's quote in the  
13 June 27, 2013, Doings when he stated that 7 out  
14 of 10 people want new homes... there might be  
15 5 percent who would purchase vintage homes. We  
16 are in that category.

17 January 27, 2014, meeting of Zoning  
18 & Public Safety presentation resulted in a 2 to  
19 2 vote of approval of our request. March 11,  
20 2014, meeting with preservation commission at  
21 the request of the village president, village  
22 manager and Robb McGinnis.

05:07:44PM

1 We are caught in a sea-change in  
2 Hinsdale where the majority of homes are now new  
3 millennials. The most recent report of the  
4 Comisky house on 8th Street being torn down  
5 after a year on the market sold for over \$2  
6 million included a quote from Mr. Bohnen that he  
7 wasn't surprised since so many modifications  
8 would have had to be done in order to live in  
9 the house.

05:08:12PM 10 Concern for the heterogenous  
11 housing in our village was expressed as far back  
12 as 1989 by the Historical Society when they  
13 proposed a historic district as part of a study  
14 and adoption of our new zoning ordinance. It  
15 was not included in that ordinance. By 1997,  
16 12 percent of our housing stock of 4,600 homes  
17 was demolished. Two boards subsequently studied  
18 our zoning ordinance and by the time I left the  
19 board of trustees in 2003, 30 percent of the  
15:08:40PM 20 homes had been demolished. During that time  
21 while I was on the board in 1998, we had so much  
22 activity that our village was in feature

1 articles on ABC and CBS national news and  
2 magazines such as Smart Money and Newsweek as  
3 well as the local Tribune articles. The  
4 Landmarks Preservation Council of Illinois named  
5 Hinsdale on their yearly list of ten most  
6 endangered sites. We engaged in many forums  
7 with other communities and ultimately followed  
8 the lead of villages on the north shore to  
9 establish a preservation commission and after a  
10 complete survey of our existing stock of houses  
11 was completed we established a landmark  
12 designation procedure. Since then three  
13 trustees and one preservation commissioner, two  
14 of the trustees were also on the commission,  
15 have landmarked their homes. I have not  
16 recently seen a groundswell of interest in  
17 preservation of homes and applaud you for  
18 finding three homes that are requesting such  
19 designation and availability of tax freezes. We  
15:09:38PM 20 have also received the designation of our  
21 downtown National Historic District. While this  
22 does not prevent a building from being altered

1 or demolished, we do have one home with that  
2 designation which has also received a requested  
3 easement which would prevent the teardown of  
4 that home. I hope that this trend continues  
5 although with an average of almost 80 to 100  
6 homes lost per year over a 30-year span, we have  
7 lost many of our ranch houses and bungalows that  
8 are now over 50 years old.

9 I acquired my interest in  
05:10:10PM 10 preservation having grown up on the east coast  
11 where this year the church in the town of  
12 Pennsylvania that was founded by my father's  
13 family just celebrated their 250th anniversary.  
14 I hope that if we come back to Hinsdale in 100  
15 years, our ancestors would find similar  
16 celebrations.

17 Do you have any questions?  
18 CHAIRMAN PETERSON: Any questions?  
19 (No response.) Thank you.  
05:10:46PM 20 Any comments from the  
21 commissioners?  
22 MR. BOHNEN: I would like to comment.

1 First of all, by way of background,  
2 I was part of a crowd that spent many, many  
3 years and a lot of hard work resurrecting good  
4 government here in Hinsdale. We had suffered  
5 through a couple of administrations of heavy-  
6 handed administration that frankly paid little  
7 attention to our rules and our codes and it was  
8 our opinion, still is my opinion, that it is  
9 very bad policy to wink at a building code,  
05:11:48PM 10 okay?  
11 I would draw the comparison what's  
12 going on out of Washington, D.C., right now. We  
13 have a chief executive that is making his own  
14 policy deferring to his attorney general and  
15 writing their interpretations of documents like  
16 the Constitution of the United States. I find  
17 this troubling, it shouldn't be condoned and I  
18 will only tell you that after what we  
19 experienced here in Hinsdale, there's so much  
05:12:20PM 20 comfort to be had by simply following the rules  
21 because when you make an exception for  
22 something, you then are going to have the line

1 forming around the corner where other people  
2 will want to take advantage of exceptions, okay?

3 Now, in my opinion, the way the  
4 code is written right now, 14-4-1, the Barrow  
5 situation does not merit the unlandmarking of  
6 their house. I feel strong about that. And  
7 yet, I'm sympathetic to what they are concerned  
8 about. In their words, they were projecting  
9 that though they intend to stay in their house  
10 all of their lives, that their heirs might find  
11 themselves handcuffed in trying to dispose of  
12 that property for negative impact, economic  
13 impact, and I understand that.

14 And I'm not here to suggest that  
15 landmarking flourishes when people feel  
16 handcuffed because we have to be very sensitive  
17 to that proposition. People won't landmark if  
18 they feel handcuffed and it's entirely possible  
19 that people that go into landmarking right now  
20 that have grand ideas about fixing up their home  
21 could come upon adverse circumstances and find  
22 themselves unable to continue with the project

1 and they own a home quite frankly is not  
2 completed, has not been renovated, or it's half  
3 renovated, whatever, and they find themselves  
4 needing to get rid of that property and they  
5 find themselves having some economic hardship.

6 So it's my opinion, the way to  
7 approach this is not to unlandmark this house  
8 because I don't think it's legally possible to  
9 do so the way the code is written, I would  
10 suggest that we reconstruct a text amendment to  
11 the code that would allow people that have a  
12 landmarked home to have it demolished if they  
13 could convince our commission that they are  
14 faced with economic hardship.

15 Now again, this can be  
16 interpretive, but I believe it's the proper way  
17 to go about this and for that reason, I will  
18 again vote no with the caveat that I'm perfectly  
19 willing to sit down and work through language  
20 with our village attorney that could give relief  
21 under the fashion that I have described to you.

22 I would remind all of the members

1 of this commission that even though we are an  
2 advisory commission, the work that we do here is  
3 extremely important because we delve into  
4 matters that are esoteric in nature and our  
5 Board of Trustees looks to the commissions for  
6 guidance so that they can make the proper  
7 adjudication of these things. May I remind you  
8 that the Plan Commission is advisory also.

9 So I don't want to diminish the  
10 deliberations that go on at this commission  
11 because I think they are very important and I  
12 think our board is dependent upon us to follow  
13 through in our commitment to preserve whatever  
14 we can of our history in our village and I  
15 suggest to you that the proper way to address  
16 this tonight would be to vote no because the  
17 proposition does not meet the criteria of  
18 14-4-1, with the caveat that we will take up a  
19 text amendment immediately following and work  
20 its way through the village government in a  
21 fashion which it was so deemed. Thank you, very  
22 much.

1 CHAIRMAN PETERSON: But John, based on  
2 that text amendment, you are saying, just to be  
3 clear, that's basically a relief if there's a  
4 financial hardship issue?

5 MR. BOHNEN: Financial hardship. And  
6 that would be the criteria to tear down a  
7 landmark home.

8 CHAIRMAN PETERSON: Okay. Any other  
9 comments?

10 (No response.)

11 At this point, I'd like to close  
12 the public hearing.

13 (WHICH, were all of the  
14 proceedings had, evidence  
15 offered or received in the  
16 above entitled cause.)

1 STATE OF ILLINOIS )

) ss:

2 COUNTY OF DU PAGE )

3 I, KATHLEEN W. BONO, Certified  
4 Shorthand Reporter, Notary Public in and for the  
5 County DuPage, State of Illinois, do hereby  
6 certify that previous to the commencement of the  
7 examination and testimony of the various  
8 witnesses herein, they were duly sworn by me to  
9 testify the truth in relation to the matters  
10 pertaining hereto; that the testimony given by  
11 said witnesses was reduced to writing by means  
12 of shorthand and thereafter transcribed into  
13 typewritten form; and that the foregoing is a  
14 true, correct and complete transcript of my  
15 shorthand notes so taken aforesaid.

16 IN TESTIMONY WHEREOF I have  
17 hereunto set my hand and affixed my notarial  
18 seal this 17th day of March, A.D. 2014.

19

20

21

22

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KATHLEEN W. BONO,  
C.S.R. No. 84-1423,  
Notary Public, DuPage County  
237 South Wisconsin Avenue,  
Addison, IL 60101-3837

<b>1</b>	<b>5:00</b> [1] - 45:14	<b>applicant</b> [1] - 46:18 <b>approach</b> [1] - 55:7 <b>approval</b> [1] - 49:19 <b>article</b> [2] - 48:21, 49:6 <b>articles</b> [2] - 51:1, 51:3 <b>assuming</b> [1] - 48:3 <b>attention</b> [1] - 53:7 <b>attorney</b> [3] - 47:22, 53:14, 55:20 <b>availability</b> [1] - 51:19 <b>Avenue</b> [2] - 45:12, 58:22 <b>average</b> [1] - 52:5	<b>56:18</b> <b>CBS</b> [1] - 51:1 <b>celebrated</b> [1] - 52:13 <b>celebrations</b> [1] - 52:16 <b>Certified</b> [1] - 58:3 <b>certify</b> [1] - 58:6 <b>Chairman</b> [1] - 45:17 <b>CHAIRMAN</b> [5] - 46:7, 46:12, 52:18, 57:1, 57:8 <b>change</b> [1] - 50:1 <b>changes</b> [1] - 47:6 <b>Chicago</b> [1] - 45:12 <b>chief</b> [1] - 53:13 <b>CHRISTOPHER</b> [1] - 45:19 <b>church</b> [1] - 52:11 <b>circumstances</b> [1] - 54:21 <b>clear</b> [2] - 46:16, 57:3 <b>close</b> [1] - 57:11 <b>coast</b> [1] - 52:10 <b>code</b> [5] - 47:15, 53:9, 54:4, 55:9, 55:11 <b>codes</b> [1] - 53:7 <b>comfort</b> [1] - 53:20 <b>Comisky</b> [1] - 50:4 <b>commencement</b> [1] - 58:6 <b>comment</b> [1] - 52:22 <b>comments</b> [2] - 52:20, 57:9 <b>COMMISSION</b> [1] - 45:3 <b>commission</b> [9] - 47:14, 49:11, 49:20, 51:9, 51:14, 55:13, 56:1, 56:2, 56:10 <b>Commission</b> [3] - 45:11, 48:8, 56:8 <b>commission's</b> [1] - 47:17 <b>commissioner</b> [2] - 48:22, 51:13 <b>commissioners</b> [3] - 47:16, 48:8, 52:21 <b>commissions</b> [1] - 56:5 <b>commitment</b> [1] - 56:13 <b>communities</b> [1] - 51:7 <b>community</b> [1] - 49:1 <b>comparison</b> [1] - 53:11 <b>complete</b> [2] - 51:10,	<b>58:14</b> <b>completed</b> [2] - 51:11, 55:2 <b>concern</b> [1] - 50:10 <b>concerned</b> [1] - 54:7 <b>concerns</b> [2] - 48:13, 49:8 <b>conclusion</b> [1] - 48:10 <b>conditions</b> [1] - 48:1 <b>condoned</b> [1] - 53:17 <b>confusion</b> [1] - 47:17 <b>Constitution</b> [1] - 53:16 <b>construction</b> [1] - 49:7 <b>continuation</b> [1] - 48:6 <b>continue</b> [2] - 47:18, 54:22 <b>CONTINUED</b> [1] - 45:8 <b>continues</b> [1] - 52:4 <b>contradict</b> [1] - 49:10 <b>convince</b> [1] - 55:13 <b>copy</b> [1] - 47:15 <b>corner</b> [1] - 54:1 <b>correct</b> [1] - 58:14 <b>Council</b> [1] - 51:4 <b>COUNTY</b> [2] - 45:2, 58:2 <b>County</b> [2] - 58:5, 58:21 <b>couple</b> [1] - 53:5 <b>criteria</b> [2] - 56:17, 57:6 <b>crowd</b> [1] - 53:2	
<b>2</b>	<b>2</b> [3] - 49:18, 49:19, 50:5 <b>2-2</b> [1] - 46:14 <b>20</b> [1] - 48:16 <b>2003</b> [1] - 50:19 <b>2005</b> [1] - 49:1 <b>2013</b> [4] - 47:4, 47:13, 49:3, 49:13 <b>2014</b> [7] - 45:13, 47:20, 48:6, 48:21, 49:17, 49:20, 58:18 <b>23</b> [1] - 48:20 <b>237</b> [1] - 58:22 <b>250th</b> [1] - 52:13 <b>27</b> [3] - 49:4, 49:13, 49:17	<b>6</b> <b>6</b> [1] - 47:20 <b>60101-3837</b> [1] - 58:22	<b>background</b> [1] - 53:1 <b>bad</b> [1] - 53:9 <b>BARROW</b> [3] - 46:3, 46:4, 46:20 <b>Barrow</b> [4] - 46:10, 46:13, 47:3, 54:4 <b>based</b> [1] - 57:1 <b>become</b> [1] - 48:17 <b>BEFORE</b> [1] - 45:3 <b>BETH</b> [1] - 46:3 <b>beth</b> [1] - 47:2 <b>block</b> [3] - 47:6, 47:12, 48:16 <b>Board</b> [1] - 56:5 <b>BOARD</b> [1] - 45:16 <b>board</b> [3] - 50:19, 50:21, 56:12 <b>boards</b> [1] - 50:17 <b>BOHNEN</b> [3] - 45:18, 52:22, 57:5 <b>bohnens</b> [1] - 50:6 <b>Bohnen's</b> [2] - 48:9, 49:12 <b>BONO</b> [3] - 45:10, 58:3, 58:20 <b>building</b> [4] - 48:22, 49:5, 51:22, 53:9 <b>bungalows</b> [1] - 52:7 <b>busy</b> [1] - 49:7 <b>buyers</b> [1] - 49:8	<b>56:18</b> <b>CBS</b> [1] - 51:1 <b>celebrated</b> [1] - 52:13 <b>celebrations</b> [1] - 52:16 <b>Certified</b> [1] - 58:3 <b>certify</b> [1] - 58:6 <b>Chairman</b> [1] - 45:17 <b>CHAIRMAN</b> [5] - 46:7, 46:12, 52:18, 57:1, 57:8 <b>change</b> [1] - 50:1 <b>changes</b> [1] - 47:6 <b>Chicago</b> [1] - 45:12 <b>chief</b> [1] - 53:13 <b>CHRISTOPHER</b> [1] - 45:19 <b>church</b> [1] - 52:11 <b>circumstances</b> [1] - 54:21 <b>clear</b> [2] - 46:16, 57:3 <b>close</b> [1] - 57:11 <b>coast</b> [1] - 52:10 <b>code</b> [5] - 47:15, 53:9, 54:4, 55:9, 55:11 <b>codes</b> [1] - 53:7 <b>comfort</b> [1] - 53:20 <b>Comisky</b> [1] - 50:4 <b>commencement</b> [1] - 58:6 <b>comment</b> [1] - 52:22 <b>comments</b> [2] - 52:20, 57:9 <b>COMMISSION</b> [1] - 45:3 <b>commission</b> [9] - 47:14, 49:11, 49:20, 51:9, 51:14, 55:13, 56:1, 56:2, 56:10 <b>Commission</b> [3] - 45:11, 48:8, 56:8 <b>commission's</b> [1] - 47:17 <b>commissioner</b> [2] - 48:22, 51:13 <b>commissioners</b> [3] - 47:16, 48:8, 52:21 <b>commissions</b> [1] - 56:5 <b>commitment</b> [1] - 56:13 <b>communities</b> [1] - 51:7 <b>community</b> [1] - 49:1 <b>comparison</b> [1] - 53:11 <b>complete</b> [2] - 51:10,	<b>58:14</b> <b>completed</b> [2] - 51:11, 55:2 <b>concern</b> [1] - 50:10 <b>concerned</b> [1] - 54:7 <b>concerns</b> [2] - 48:13, 49:8 <b>conclusion</b> [1] - 48:10 <b>conditions</b> [1] - 48:1 <b>condoned</b> [1] - 53:17 <b>confusion</b> [1] - 47:17 <b>Constitution</b> [1] - 53:16 <b>construction</b> [1] - 49:7 <b>continuation</b> [1] - 48:6 <b>continue</b> [2] - 47:18, 54:22 <b>CONTINUED</b> [1] - 45:8 <b>continues</b> [1] - 52:4 <b>contradict</b> [1] - 49:10 <b>convince</b> [1] - 55:13 <b>copy</b> [1] - 47:15 <b>corner</b> [1] - 54:1 <b>correct</b> [1] - 58:14 <b>Council</b> [1] - 51:4 <b>COUNTY</b> [2] - 45:2, 58:2 <b>County</b> [2] - 58:5, 58:21 <b>couple</b> [1] - 53:5 <b>criteria</b> [2] - 56:17, 57:6 <b>crowd</b> [1] - 53:2
<b>3</b>	<b>30</b> [1] - 50:19 <b>30-year</b> [1] - 52:6 <b>314</b> [1] - 47:8 <b>319</b> [3] - 45:5, 46:14, 47:3 <b>3rd</b> [1] - 47:6	<b>A</b> <b>A.D</b> [2] - 45:13, 58:18 <b>ABC</b> [1] - 51:1 <b>able</b> [1] - 48:15 <b>acquired</b> [1] - 52:9 <b>active</b> [1] - 49:5 <b>activity</b> [1] - 50:22 <b>Addison</b> [1] - 58:22 <b>address</b> [1] - 56:15 <b>adjudication</b> [1] - 56:7 <b>administration</b> [1] - 53:6 <b>administrations</b> [1] - 53:5 <b>adoption</b> [1] - 50:14 <b>advantage</b> [1] - 54:2 <b>adverse</b> [1] - 54:21 <b>advised</b> [1] - 48:4 <b>advisory</b> [2] - 56:2, 56:8 <b>affect</b> [1] - 48:12 <b>affixed</b> [1] - 58:17 <b>aforesaid</b> [1] - 58:15 <b>allow</b> [1] - 55:11 <b>almost</b> [1] - 52:5 <b>ALSO</b> [1] - 46:1 <b>altered</b> [1] - 51:22 <b>amendment</b> [3] - 55:10, 56:19, 57:2 <b>ancestors</b> [1] - 52:15 <b>anniversary</b> [1] - 52:13 <b>anticipates</b> [1] - 49:5 <b>applaud</b> [1] - 51:17 <b>applicable</b> [1] - 48:5 <b>Applicant</b> [2] - 46:3, 46:4	<b>background</b> [1] - 53:1 <b>bad</b> [1] - 53:9 <b>BARROW</b> [3] - 46:3, 46:4, 46:20 <b>Barrow</b> [4] - 46:10, 46:13, 47:3, 54:4 <b>based</b> [1] - 57:1 <b>become</b> [1] - 48:17 <b>BEFORE</b> [1] - 45:3 <b>BETH</b> [1] - 46:3 <b>beth</b> [1] - 47:2 <b>block</b> [3] - 47:6, 47:12, 48:16 <b>Board</b> [1] - 56:5 <b>BOARD</b> [1] - 45:16 <b>board</b> [3] - 50:19, 50:21, 56:12 <b>boards</b> [1] - 50:17 <b>BOHNEN</b> [3] - 45:18, 52:22, 57:5 <b>bohnens</b> [1] - 50:6 <b>Bohnen's</b> [2] - 48:9, 49:12 <b>BONO</b> [3] - 45:10, 58:3, 58:20 <b>building</b> [4] - 48:22, 49:5, 51:22, 53:9 <b>bungalows</b> [1] - 52:7 <b>busy</b> [1] - 49:7 <b>buyers</b> [1] - 49:8	<b>56:18</b> <b>CBS</b> [1] - 51:1 <b>celebrated</b> [1] - 52:13 <b>celebrations</b> [1] - 52:16 <b>Certified</b> [1] - 58:3 <b>certify</b> [1] - 58:6 <b>Chairman</b> [1] - 45:17 <b>CHAIRMAN</b> [5] - 46:7, 46:12, 52:18, 57:1, 57:8 <b>change</b> [1] - 50:1 <b>changes</b> [1] - 47:6 <b>Chicago</b> [1] - 45:12 <b>chief</b> [1] - 53:13 <b>CHRISTOPHER</b> [1] - 45:19 <b>church</b> [1] - 52:11 <b>circumstances</b> [1] - 54:21 <b>clear</b> [2] - 46:16, 57:3 <b>close</b> [1] - 57:11 <b>coast</b> [1] - 52:10 <b>code</b> [5] - 47:15, 53:9, 54:4, 55:9, 55:11 <b>codes</b> [1] - 53:7 <b>comfort</b> [1] - 53:20 <b>Comisky</b> [1] - 50:4 <b>commencement</b> [1] - 58:6 <b>comment</b> [1] - 52:22 <b>comments</b> [2] - 52:20, 57:9 <b>COMMISSION</b> [1] - 45:3 <b>commission</b> [9] - 47:14, 49:11, 49:20, 51:9, 51:14, 55:13, 56:1, 56:2, 56:10 <b>Commission</b> [3] - 45:11, 48:8, 56:8 <b>commission's</b> [1] - 47:17 <b>commissioner</b> [2] - 48:22, 51:13 <b>commissioners</b> [3] - 47:16, 48:8, 52:21 <b>commissions</b> [1] - 56:5 <b>commitment</b> [1] - 56:13 <b>communities</b> [1] - 51:7 <b>community</b> [1] - 49:1 <b>comparison</b> [1] - 53:11 <b>complete</b> [2] - 51:10,	<b>58:14</b> <b>completed</b> [2] - 51:11, 55:2 <b>concern</b> [1] - 50:10 <b>concerned</b> [1] - 54:7 <b>concerns</b> [2] - 48:13, 49:8 <b>conclusion</b> [1] - 48:10 <b>conditions</b> [1] - 48:1 <b>condoned</b> [1] - 53:17 <b>confusion</b> [1] - 47:17 <b>Constitution</b> [1] - 53:16 <b>construction</b> [1] - 49:7 <b>continuation</b> [1] - 48:6 <b>continue</b> [2] - 47:18, 54:22 <b>CONTINUED</b> [1] - 45:8 <b>continues</b> [1] - 52:4 <b>contradict</b> [1] - 49:10 <b>convince</b> [1] - 55:13 <b>copy</b> [1] - 47:15 <b>corner</b> [1] - 54:1 <b>correct</b> [1] - 58:14 <b>Council</b> [1] - 51:4 <b>COUNTY</b> [2] - 45:2, 58:2 <b>County</b> [2] - 58:5, 58:21 <b>couple</b> [1] - 53:5 <b>criteria</b> [2] - 56:17, 57:6 <b>crowd</b> [1] - 53:2
<b>4</b>	<b>4,600</b> [1] - 50:16 <b>48</b> [1] - 49:3	<b>80</b> [1] - 52:5 <b>84-1423</b> [1] - 58:21 <b>8th</b> [1] - 50:4	<b>background</b> [1] - 53:1 <b>bad</b> [1] - 53:9 <b>BARROW</b> [3] - 46:3, 46:4, 46:20 <b>Barrow</b> [4] - 46:10, 46:13, 47:3, 54:4 <b>based</b> [1] - 57:1 <b>become</b> [1] - 48:17 <b>BEFORE</b> [1] - 45:3 <b>BETH</b> [1] - 46:3 <b>beth</b> [1] - 47:2 <b>block</b> [3] - 47:6, 47:12, 48:16 <b>Board</b> [1] - 56:5 <b>BOARD</b> [1] - 45:16 <b>board</b> [3] - 50:19, 50:21, 56:12 <b>boards</b> [1] - 50:17 <b>BOHNEN</b> [3] - 45:18, 52:22, 57:5 <b>bohnens</b> [1] - 50:6 <b>Bohnen's</b> [2] - 48:9, 49:12 <b>BONO</b> [3] - 45:10, 58:3, 58:20 <b>building</b> [4] - 48:22, 49:5, 51:22, 53:9 <b>bungalows</b> [1] - 52:7 <b>busy</b> [1] - 49:7 <b>buyers</b> [1] - 49:8	<b>56:18</b> <b>CBS</b> [1] - 51:1 <b>celebrated</b> [1] - 52:13 <b>celebrations</b> [1] - 52:16 <b>Certified</b> [1] - 58:3 <b>certify</b> [1] - 58:6 <b>Chairman</b> [1] - 45:17 <b>CHAIRMAN</b> [5] - 46:7, 46:12, 52:18, 57:1, 57:8 <b>change</b> [1] - 50:1 <b>changes</b> [1] - 47:6 <b>Chicago</b> [1] - 45:12 <b>chief</b> [1] - 53:13 <b>CHRISTOPHER</b> [1] - 45:19 <b>church</b> [1] - 52:11 <b>circumstances</b> [1] - 54:21 <b>clear</b> [2] - 46:16, 57:3 <b>close</b> [1] - 57:11 <b>coast</b> [1] - 52:10 <b>code</b> [5] - 47:15, 53:9, 54:4, 55:9, 55:11 <b>codes</b> [1] - 53:7 <b>comfort</b> [1] - 53:20 <b>Comisky</b> [1] - 50:4 <b>commencement</b> [1] - 58:6 <b>comment</b> [1] - 52:22 <b>comments</b> [2] - 52:20, 57:9 <b>COMMISSION</b> [1] - 45:3 <b>commission</b> [9] - 47:14, 49:11, 49:20, 51:9, 51:14, 55:13, 56:1, 56:2, 56:10 <b>Commission</b> [3] - 45:11, 48:8, 56:8 <b>commission's</b> [1] - 47:17 <b>commissioner</b> [2] - 48:22, 51:13 <b>commissioners</b> [3] - 47:16, 48:8, 52:21 <b>commissions</b> [1] - 56:5 <b>commitment</b> [1] - 56:13 <b>communities</b> [1] - 51:7 <b>community</b> [1] - 49:1 <b>comparison</b> [1] - 53:11 <b>complete</b> [2] - 51:10,	<b>58:14</b> <b>completed</b> [2] - 51:11, 55:2 <b>concern</b> [1] - 50:10 <b>concerned</b> [1] - 54:7 <b>concerns</b> [2] - 48:13, 49:8 <b>conclusion</b> [1] - 48:10 <b>conditions</b> [1] - 48:1 <b>condoned</b> [1] - 53:17 <b>confusion</b> [1] - 47:17 <b>Constitution</b> [1] - 53:16 <b>construction</b> [1] - 49:7 <b>continuation</b> [1] - 48:6 <b>continue</b> [2] - 47:18, 54:22 <b>CONTINUED</b> [1] - 45:8 <b>continues</b> [1] - 52:4 <b>contradict</b> [1] - 49:10 <b>convince</b> [1] - 55:13 <b>copy</b> [1] - 47:15 <b>corner</b> [1] - 54:1 <b>correct</b> [1] - 58:14 <b>Council</b> [1] - 51:4 <b>COUNTY</b> [2] - 45:2, 58:2 <b>County</b> [2] - 58:5, 58:21 <b>couple</b> [1] - 53:5 <b>criteria</b> [2] - 56:17, 57:6 <b>crowd</b> [1] - 53:2
<b>5</b>	<b>5</b> [1] - 49:15 <b>50</b> [1] - 52:8 <b>52</b> [1] - 49:2	<b>80</b> [1] - 52:5 <b>84-1423</b> [1] - 58:21 <b>8th</b> [1] - 50:4	<b>background</b> [1] - 53:1 <b>bad</b> [1] - 53:9 <b>BARROW</b> [3] - 46:3, 46:4, 46:20 <b>Barrow</b> [4] - 46:10, 46:13, 47:3, 54:4 <b>based</b> [1] - 57:1 <b>become</b> [1] - 48:17 <b>BEFORE</b> [1] - 45:3 <b>BETH</b> [1] - 46:3 <b>beth</b> [1] - 47:2 <b>block</b> [3] - 47:6, 47:12, 48:16 <b>Board</b> [1] - 56:5 <b>BOARD</b> [1] - 45:16 <b>board</b> [3] - 50:19, 50:21, 56:12 <b>boards</b> [1] - 50:17 <b>BOHNEN</b> [3] - 45:18, 52:22, 57:5 <b>bohnens</b> [1] - 50:6 <b>Bohnen's</b> [2] - 48:9, 49:12 <b>BONO</b> [3] - 45:10, 58:3, 58:20 <b>building</b> [4] - 48:22, 49:5, 51:22, 53:9 <b>bungalows</b> [1] - 52:7 <b>busy</b> [1] - 49:7 <b>buyers</b> [1] - 49:8	<b>56:18</b> <b>CBS</b> [1] - 51:1 <b>celebrated</b> [1] - 52:13 <b>celebrations</b> [1] - 52:16 <b>Certified</b> [1] - 58:3 <b>certify</b> [1] - 58:6 <b>Chairman</b> [1] - 45:17 <b>CHAIRMAN</b> [5] - 46:7, 46:12, 52:18, 57:1, 57:8 <b>change</b> [1] - 50:1 <b>changes</b> [1] - 47:6 <b>Chicago</b> [1] - 45:12 <b>chief</b> [1] - 53:13 <b>CHRISTOPHER</b> [1] - 45:19 <b>church</b> [1] - 52:11 <b>circumstances</b> [1] - 54:21 <b>clear</b> [2] - 46:16, 57:3 <b>close</b> [1] - 57:11 <b>coast</b> [1] - 52:10 <b>code</b> [5] - 47:15, 53:9, 54:4, 55:9, 55:11 <b>codes</b> [1] - 53:7 <b>comfort</b> [1] - 53:20 <b>Comisky</b> [1] - 50:4 <b>commencement</b> [1] - 58:6 <b>comment</b> [1] - 52:22 <b>comments</b> [2] - 52:20, 57:9 <b>COMMISSION</b> [1] - 45:3 <b>commission</b> [9] - 47:14, 49:11, 49:20, 51:9, 51:14, 55:13, 56:1, 56:2, 56:10 <b>Commission</b> [3] - 45:11, 48:8, 56:8 <b>commission's</b> [1] - 47:17 <b>commissioner</b> [2] - 48:22, 51:13 <b>commissioners</b> [3] - 47:16, 48:8, 52:21 <b>commissions</b> [1] - 56:5 <b>commitment</b> [1] - 56:13 <b>communities</b> [1] - 51:7 <b>community</b> [1] - 49:1 <b>comparison</b> [1] - 53:11 <b>complete</b> [2] - 51:10,	<b>58:14</b> <b>completed</b> [2] - 51:11, 55:2 <b>concern</b> [1] - 50:10 <b>concerned</b> [1] - 54:7 <b>concerns</b> [2] - 48:13, 49:8 <b>conclusion</b> [1] - 48:10 <b>conditions</b> [1] - 48:1 <b>condoned</b> [1] - 53:17 <b>confusion</b> [1] - 47:17 <b>Constitution</b> [1] - 53:16 <b>construction</b> [1] - 49:7 <b>continuation</b> [1] - 48:6 <b>continue</b> [2] - 47:18, 54:22 <b>CONTINUED</b> [1] - 45:8 <b>continues</b> [1] - 52:4 <b>contradict</b> [1] - 49:10 <b>convince</b> [1] - 55:13 <b>copy</b> [1] - 47:15 <b>corner</b> [1] - 54:1 <b>correct</b> [1] - 58:14 <b>Council</b> [1] - 51:4 <b>COUNTY</b> [2] - 45:2, 58:2 <b>County</b> [2] - 58:5, 58:21 <b>couple</b> [1] - 53:5 <b>criteria</b> [2] - 56:17, 57:6 <b>crowd</b> [1] - 53:2
<b>6</b>	<b>6</b> [1] - 47:20 <b>60101-3837</b> [1] - 58:22	<b>applicant</b> [1] - 46:18 <b>approach</b> [1] - 55:7 <b>approval</b> [1] - 49:19 <b>article</b> [2] - 48:21, 49:6 <b>articles</b> [2] - 51:1, 51:3 <b>assuming</b> [1] - 48:3 <b>attention</b> [1] - 53:7 <b>attorney</b> [3] - 47:22, 53:14, 55:20 <b>availability</b> [1] - 51:19 <b>Avenue</b> [2] - 45:12, 58:22 <b>average</b> [1] - 52:5	<b>56:18</b> <b>CBS</b> [1] - 51:1 <b>celebrated</b> [1] - 52:13 <b>celebrations</b> [1] - 52:16 <b>Certified</b> [1] - 58:3 <b>certify</b> [1] - 58:6 <b>Chairman</b> [1] - 45:17 <b>CHAIRMAN</b> [5] - 46:7, 46:12, 52:18, 57:1, 57:8 <b>change</b> [1] - 50:1 <b>changes</b> [1] - 47:6 <b>Chicago</b> [1] - 45:12 <b>chief</b> [1] - 53:13 <b>CHRISTOPHER</b> [1] - 45:19 <b>church</b> [1] - 52:11 <b>circumstances</b> [1] - 54:21 <b>clear</b> [2] - 46:16, 57:3 <b>close</b> [1] - 57:11 <b>coast</b> [1] - 52:10 <b>code</b> [5] - 47:15, 53:9, 54:4, 55:9, 55:11 <b>codes</b> [1] - 53:7 <b>comfort</b> [1] - 53:20 <b>Comisky</b> [1] - 50:4 <b>commencement</b> [1] - 58:6 <b>comment</b> [1] - 52:22 <b>comments</b> [2] - 52:20, 57:9 <b>COMMISSION</b> [1] - 45:3 <b>commission</b> [9] - 47:14, 49:11, 49:20, 51:9, 51:14, 55:13, 56:1, 56:2, 56:10 <b>Commission</b> [3] - 45:11, 48:8, 56:8 <b>commission's</b> [1] - 47:17 <b>commissioner</b> [2] - 48:22, 51:13 <b>commissioners</b> [3] - 47:16, 48:8, 52:21 <b>commissions</b> [1] - 56:5 <b>commitment</b> [1] - 56:13 <b>communities</b> [1] - 51:7 <b>community</b> [1] - 49:1 <b>comparison</b> [1] - 53:11 <b>complete</b> [2] - 51:10,	<b>58:14</b> <b>completed</b> [2] - 51:11, 55:2 <b>concern</b> [1] - 50:10 <b>concerned</b> [1] - 54:7 <b>concerns</b> [2] - 48:13, 49:8 <b>conclusion</b> [1] - 48:10 <b>conditions</b> [1] - 48:1 <b>condoned</b> [1] - 53:17 <b>confusion</b> [1] - 47:17 <b>Constitution</b> [1] - 53:16 <b>construction</b> [1] - 49:7 <b>continuation</b> [1] - 48:6 <b>continue</b> [2] - 47:18, 54:22 <b>CONTINUED</b> [1] - 45:8 <b>continues</b> [1] - 52:4 <b>contradict</b> [1] - 49:10 <b>convince</b> [1] - 55:13 <b>copy</b> [1] - 47:15 <b>corner</b> [1] - 54:1 <b>correct</b> [1] - 58:14 <b>Council</b> [1] - 51:4 <b>COUNTY</b> [2] - 45:2, 58:2 <b>County</b> [2] - 58:5, 58:21 <b>couple</b> [1] - 53:5 <b>criteria</b> [2] - 56:17, 57:6 <b>crowd</b> [1] - 53:2	
<b>7</b>	<b>7</b> [1] - 49:13	<b>applicant</b> [1] - 46:18 <b>approach</b> [1] - 55:7 <b>approval</b> [1] - 49:19 <b>article</b> [2] - 48:21, 49:6 <b>articles</b> [2] - 51:1, 51:3 <b>assuming</b> [1] - 48:3 <b>attention</b> [1] - 53:7 <b>attorney</b> [3] - 47:22, 53:14, 55:20 <b>availability</b> [1] - 51:19 <b>Avenue</b> [2] - 45:12, 58:22 <b>average</b> [1] - 52:5	<b>56:18</b> <b>CBS</b> [1] - 51:1 <b>celebrated</b> [1] - 52:13 <b>celebrations</b> [1] - 52:16 <b>Certified</b> [1] - 58:3 <b>certify</b> [1]		

<p><b>described</b> [1] - 55:21</p> <p><b>designation</b> [6] - 48:2, 48:12, 51:12, 51:19, 51:20, 52:2</p> <p><b>desire</b> [1] - 49:9</p> <p><b>development</b> [1] - 49:1</p> <p><b>diminish</b> [1] - 56:9</p> <p><b>direction</b> [2] - 46:16</p> <p><b>director</b> [1] - 48:22</p> <p><b>discussion</b> [1] - 48:9</p> <p><b>dispose</b> [1] - 54:11</p> <p><b>disposing</b> [2] - 48:14, 48:17</p> <p><b>district</b> [1] - 50:13</p> <p><b>District</b> [1] - 51:21</p> <p><b>documents</b> [1] - 53:15</p> <p><b>Doings</b> [1] - 49:13</p> <p><b>done</b> [2] - 47:2, 50:8</p> <p><b>down</b> [4] - 48:18, 50:4, 55:19, 57:6</p> <p><b>downtown</b> [1] - 51:21</p> <p><b>draw</b> [2] - 46:16, 53:11</p> <p><b>DU</b> [2] - 45:2, 58:2</p> <p><b>due</b> [2] - 47:5, 47:16</p> <p><b>duly</b> [2] - 46:10, 58:8</p> <p><b>DuPage</b> [2] - 58:5, 58:21</p> <p><b>during</b> [1] - 50:20</p>	<p>53:19</p> <p><b>expressed</b> [1] - 50:11</p> <p><b>extremely</b> [1] - 56:3</p> <p><b>F</b></p> <p><b>faced</b> [1] - 55:14</p> <p><b>family</b> [1] - 52:13</p> <p><b>far</b> [2] - 46:16, 50:11</p> <p><b>fashion</b> [2] - 55:21, 56:21</p> <p><b>father's</b> [1] - 52:12</p> <p><b>feature</b> [1] - 50:22</p> <p><b>financial</b> [2] - 57:4, 57:5</p> <p><b>first</b> [2] - 49:11, 53:1</p> <p><b>five</b> [2] - 46:22, 47:7</p> <p><b>fixing</b> [1] - 54:20</p> <p><b>flourishes</b> [1] - 54:15</p> <p><b>follow</b> [1] - 56:12</p> <p><b>followed</b> [1] - 51:7</p> <p><b>following</b> [2] - 53:20, 56:19</p> <p><b>foregoing</b> [1] - 58:13</p> <p><b>form</b> [1] - 58:13</p> <p><b>forming</b> [1] - 54:1</p> <p><b>forums</b> [1] - 51:6</p> <p><b>founded</b> [1] - 52:12</p> <p><b>four</b> [2] - 47:10, 48:8</p> <p><b>FRANK</b> [1] - 45:20</p> <p><b>frankly</b> [2] - 53:6, 55:1</p> <p><b>freezes</b> [1] - 51:19</p> <p><b>G</b></p> <p><b>GASCOIGNE</b> [1] - 46:2</p> <p><b>general</b> [1] - 53:14</p> <p><b>given</b> [1] - 58:10</p> <p><b>glad</b> [1] - 46:21</p> <p><b>GONZALEZ</b> [1] - 45:20</p> <p><b>government</b> [2] - 53:4, 56:20</p> <p><b>grand</b> [1] - 54:20</p> <p><b>Groundhog</b> [1] - 46:20</p> <p><b>groundswell</b> [1] - 51:16</p> <p><b>grown</b> [1] - 52:10</p> <p><b>guidance</b> [1] - 56:6</p> <p><b>H</b></p> <p><b>half</b> [1] - 55:2</p> <p><b>hand</b> [1] - 58:17</p>	<p><b>handcuffed</b> [3] - 54:11, 54:16, 54:18</p> <p><b>handed</b> [1] - 53:6</p> <p><b>hard</b> [1] - 53:3</p> <p><b>hardship</b> [4] - 55:5, 55:14, 57:4, 57:5</p> <p><b>HARLOE</b> [1] - 45:21</p> <p><b>HARLOE-MOWERY</b> [1] - 45:21</p> <p><b>hearing</b> [5] - 45:9, 46:8, 47:19, 48:7, 57:12</p> <p><b>heavy</b> [1] - 53:5</p> <p><b>heirs</b> [1] - 54:10</p> <p><b>hereby</b> [1] - 58:5</p> <p><b>herein</b> [1] - 58:8</p> <p><b>hereto</b> [1] - 58:10</p> <p><b>hereunto</b> [1] - 58:17</p> <p><b>heterogenous</b> [1] - 50:10</p> <p><b>highly</b> [1] - 49:5</p> <p><b>HINSDALE</b> [1] - 45:3</p> <p><b>Hinsdale</b> [7] - 45:11, 45:12, 50:2, 51:5, 52:14, 53:4, 53:19</p> <p><b>Hinsdalean</b> [1] - 48:21</p> <p><b>historic</b> [3] - 47:5, 47:12, 50:13</p> <p><b>HISTORIC</b> [1] - 45:3</p> <p><b>Historic</b> [3] - 45:11, 48:7, 51:21</p> <p><b>Historical</b> [1] - 50:12</p> <p><b>history</b> [1] - 56:14</p> <p><b>home</b> [6] - 52:1, 52:4, 54:20, 55:1, 55:12, 57:7</p> <p><b>homeowner</b> [1] - 48:19</p> <p><b>homes</b> [11] - 49:2, 49:3, 49:9, 49:15, 50:2, 50:16, 50:20, 51:15, 51:17, 51:18, 52:6</p> <p><b>Homes</b> [1] - 49:6</p> <p><b>homes..</b> [1] - 49:14</p> <p><b>hope</b> [2] - 52:4, 52:14</p> <p><b>hoping</b> [1] - 48:14</p> <p><b>hour</b> [1] - 45:13</p> <p><b>house</b> [10] - 47:8, 48:11, 48:15, 48:18, 48:19, 50:4, 50:9, 54:6, 54:9, 55:7</p> <p><b>houses</b> [5] - 47:7, 47:10, 48:17, 51:10, 52:7</p> <p><b>housing</b> [2] - 50:11, 50:16</p> <p><b>HPC-02-2013</b> [1] -</p>	<p>45:6</p> <p><b>HUTTER</b> [1] - 45:19</p> <p><b>I</b></p> <p><b>ideas</b> [1] - 54:20</p> <p><b>IL</b> [1] - 58:22</p> <p><b>ILLINOIS</b> [2] - 45:1, 58:1</p> <p><b>Illinois</b> [3] - 45:12, 51:4, 58:5</p> <p><b>immediately</b> [1] - 56:19</p> <p><b>impact</b> [2] - 54:12, 54:13</p> <p><b>important</b> [2] - 56:3, 56:11</p> <p><b>IN</b> [1] - 58:16</p> <p><b>included</b> [2] - 50:6, 50:15</p> <p><b>including</b> [1] - 47:10</p> <p><b>increase</b> [1] - 49:4</p> <p><b>initial</b> [1] - 47:13</p> <p><b>intend</b> [1] - 54:9</p> <p><b>interest</b> [2] - 51:16, 52:9</p> <p><b>interpretations</b> [1] - 53:15</p> <p><b>interpretive</b> [1] - 55:16</p> <p><b>issue</b> [1] - 57:4</p> <p><b>itself</b> [1] - 48:19</p> <p><b>J</b></p> <p><b>January</b> [4] - 47:20, 48:6, 48:20, 49:17</p> <p><b>John</b> [2] - 49:12, 57:1</p> <p><b>JOHN</b> [1] - 45:18</p> <p><b>July</b> [1] - 47:4</p> <p><b>June</b> [1] - 49:13</p> <p><b>K</b></p> <p><b>KATHLEEN</b> [3] - 45:10, 58:3, 58:20</p> <p><b>L</b></p> <p><b>land</b> [1] - 49:8</p> <p><b>landmark</b> [6] - 47:5, 48:2, 48:11, 51:11, 54:17, 57:7</p> <p><b>landmarked</b> [2] - 51:15, 55:12</p> <p><b>landmarking</b> [2] -</p>	<p>54:15, 54:19</p> <p><b>Landmarks</b> [1] - 51:4</p> <p><b>language</b> [2] - 47:18, 55:19</p> <p><b>larger</b> [1] - 49:9</p> <p><b>lead</b> [1] - 51:8</p> <p><b>leaves</b> [1] - 47:10</p> <p><b>left</b> [1] - 50:18</p> <p><b>legally</b> [1] - 55:8</p> <p><b>line</b> [1] - 53:22</p> <p><b>list</b> [1] - 51:5</p> <p><b>live</b> [2] - 48:15, 50:8</p> <p><b>lives</b> [1] - 54:10</p> <p><b>local</b> [1] - 51:3</p> <p><b>looks</b> [1] - 56:5</p> <p><b>lost</b> [2] - 52:6, 52:7</p> <p><b>M</b></p> <p><b>magazines</b> [1] - 51:2</p> <p><b>majority</b> [1] - 50:2</p> <p><b>manager</b> [1] - 49:22</p> <p><b>March</b> [3] - 45:13, 49:19, 58:18</p> <p><b>market</b> [1] - 50:5</p> <p><b>marketing</b> [1] - 48:11</p> <p><b>Marrs</b> [2] - 47:21, 48:4</p> <p><b>Matter</b> [1] - 45:4</p> <p><b>matters</b> [2] - 56:4, 58:9</p> <p><b>McGinnis</b> [2] - 48:22, 49:22</p> <p><b>means</b> [1] - 58:11</p> <p><b>meet</b> [1] - 56:17</p> <p><b>meeting</b> [6] - 47:14, 47:20, 48:1, 49:11, 49:17, 49:20</p> <p><b>meetings</b> [1] - 47:2</p> <p><b>Member</b> [4] - 45:18, 45:19, 45:20, 45:21</p> <p><b>members</b> [1] - 55:22</p> <p><b>MEMBERS</b> [1] - 45:16</p> <p><b>merit</b> [1] - 54:5</p> <p><b>method</b> [1] - 48:16</p> <p><b>Michael</b> [1] - 47:21</p> <p><b>might</b> [2] - 49:14, 54:10</p> <p><b>millennials</b> [2] - 47:11, 50:3</p> <p><b>million</b> [1] - 50:6</p> <p><b>mind</b> [1] - 46:21</p> <p><b>modifications</b> [1] - 50:7</p> <p><b>Money</b> [1] - 51:2</p> <p><b>most</b> [2] - 50:3, 51:5</p> <p><b>MOWERY</b> [1] - 45:21</p> <p><b>MR</b> [8] - 45:17,</p>
--	--	---	--	--

45:18, 45:19, 45:20, 46:2, 46:4, 52:22, 57:5 <b>MS</b> [3] - 45:21, 46:3, 46:20	<b>part</b> [2] - 50:13, 53:2 <b>past</b> [1] - 48:16 <b>Pennsylvania</b> [1] - 52:12 <b>people</b> [6] - 49:14, 54:1, 54:15, 54:17, 54:19, 55:11 <b>per</b> [2] - 46:15, 52:6 <b>percent</b> [4] - 49:4, 49:15, 50:16, 50:19 <b>perfectly</b> [1] - 55:18 <b>permits</b> [1] - 49:2 <b>pertaining</b> [1] - 58:10 <b>Peterson</b> [2] - 47:21, 47:22 <b>PETERSON</b> [6] - 45:17, 46:7, 46:12, 52:18, 57:1, 57:8 <b>phone</b> [1] - 47:21 <b>Plan</b> [1] - 56:8 <b>Planner</b> [1] - 46:2 <b>point</b> [2] - 46:18, 57:11 <b>policy</b> [2] - 53:9, 53:14 <b>possible</b> [2] - 54:18, 55:8 <b>presence</b> [1] - 47:12 <b>PRESENT</b> [2] - 45:16, 46:1 <b>present</b> [2] - 47:16, 48:8 <b>presentation</b> [1] - 49:18 <b>PRESERVATION</b> [1] - 45:3 <b>preservation</b> [5] - 49:20, 51:9, 51:13, 51:17, 52:10 <b>Preservation</b> [3] - 45:11, 48:7, 51:4 <b>preserve</b> [1] - 56:13 <b>president</b> [1] - 49:21 <b>prevent</b> [2] - 51:22, 52:3 <b>previous</b> [2] - 49:4, 58:6 <b>primary</b> [1] - 49:8 <b>procedure</b> [1] - 51:12 <b>PROCEEDINGS</b> [1] - 45:8 <b>proceedings</b> [2] - 45:10, 57:14 <b>project</b> [1] - 54:22 <b>projecting</b> [1] - 54:8 <b>proper</b> [3] - 55:16, 56:6, 56:15 <b>property</b> [5] - 48:12,	48:14, 48:17, 54:12, 55:4 <b>proposed</b> [1] - 50:13 <b>proposition</b> [2] - 54:17, 56:17 <b>provide</b> [1] - 46:15 <b>Public</b> [3] - 49:18, 58:4, 58:21 <b>public</b> [2] - 46:8, 57:12 <b>purchase</b> [1] - 49:15	57:10 <b>responsible</b> [1] - 48:13 <b>resulted</b> [1] - 49:18 <b>resurrecting</b> [1] - 53:3 <b>review</b> [2] - 47:1, 48:1 <b>revote</b> [1] - 46:13 <b>rid</b> [1] - 55:4 <b>Robb</b> [1] - 49:22 <b>rules</b> [2] - 53:7, 53:20	<b>stay</b> [1] - 54:9 <b>still</b> [1] - 53:8 <b>stock</b> [2] - 50:16, 51:10 <b>Street</b> [3] - 45:5, 47:3, 50:4 <b>street</b> [1] - 47:6 <b>strong</b> [1] - 54:6 <b>studied</b> [1] - 50:17 <b>study</b> [1] - 50:13 <b>subsequently</b> [1] - 50:17 <b>suffered</b> [1] - 53:4 <b>suggest</b> [3] - 54:14, 55:10, 56:15 <b>surprised</b> [1] - 50:7 <b>survey</b> [1] - 51:10 <b>sworn</b> [3] - 46:9, 46:11, 58:8 <b>sympathetic</b> [1] - 54:7
<b>N</b>	<b>named</b> [1] - 51:4 <b>national</b> [1] - 51:1 <b>National</b> [1] - 51:21 <b>nature</b> [1] - 56:4 <b>need</b> [1] - 46:15 <b>needing</b> [1] - 55:4 <b>needs</b> [2] - 46:8, 46:9 <b>negative</b> [1] - 54:12 <b>new</b> [5] - 47:11, 49:2, 49:14, 50:2, 50:14 <b>news</b> [1] - 51:1 <b>Newsweek</b> [1] - 51:2 <b>NO</b> [1] - 45:6 <b>North</b> [4] - 46:14, 47:3, 47:6, 47:8 <b>north</b> [1] - 51:8 <b>notarial</b> [1] - 58:17 <b>Notary</b> [2] - 58:4, 58:21 <b>notes</b> [1] - 58:15 <b>November</b> [1] - 47:13	<b>Q</b>	<b>S</b>	<b>T</b>
<b>O</b>	<b>OF</b> [5] - 45:1, 45:2, 45:8, 58:1, 58:2 <b>offered</b> [1] - 57:15 <b>old</b> [1] - 52:8 <b>one</b> [3] - 47:8, 51:13, 52:1 <b>open</b> [1] - 46:7 <b>opinion</b> [4] - 53:8, 54:3, 55:6 <b>order</b> [1] - 50:8 <b>ordinance</b> [5] - 46:15, 47:18, 50:14, 50:15, 50:18 <b>original</b> [2] - 47:7, 47:10 <b>own</b> [2] - 53:13, 55:1 <b>owner</b> [1] - 49:6	<b>R</b>	<b>Safety</b> [1] - 49:18 <b>saw</b> [1] - 49:2 <b>Scott</b> [1] - 47:20 <b>SCOTT</b> [1] - 45:17 <b>sea</b> [1] - 50:1 <b>sea-change</b> [1] - 50:1 <b>seal</b> [1] - 58:18 <b>SEAN</b> [1] - 46:2 <b>Sean</b> [1] - 47:21 <b>season</b> [2] - 49:5, 49:7 <b>Section</b> [2] - 48:1, 48:4 <b>see</b> [1] - 46:21 <b>sell</b> [1] - 48:19 <b>sensitive</b> [1] - 54:16 <b>set</b> [1] - 58:17 <b>shore</b> [1] - 51:8 <b>Shorthand</b> [1] - 58:4 <b>shorthand</b> [2] - 58:12, 58:15 <b>similar</b> [1] - 52:15 <b>simply</b> [1] - 53:20 <b>sit</b> [1] - 55:19 <b>sites</b> [1] - 51:6 <b>situation</b> [1] - 54:5 <b>smaller</b> [1] - 49:9 <b>Smart</b> [1] - 51:2 <b>Society</b> [1] - 50:12 <b>sold</b> [1] - 50:5 <b>South</b> [1] - 58:22 <b>span</b> [1] - 52:6 <b>specifics</b> [1] - 47:17 <b>spent</b> [1] - 53:2 <b>ss</b> [2] - 45:1, 58:1 <b>STACEY</b> [1] - 45:21 <b>State</b> [1] - 58:5 <b>STATE</b> [2] - 45:1, 58:1 <b>States</b> [1] - 53:16 <b>states</b> [1] - 49:1 <b>status</b> [1] - 47:5	<b>tax</b> [1] - 51:19 <b>tear</b> [1] - 57:6 <b>teardown</b> [1] - 52:3 <b>tearing</b> [1] - 48:18 <b>ten</b> [1] - 51:5 <b>term</b> [1] - 46:20 <b>testify</b> [2] - 46:11, 58:9 <b>testimony</b> [3] - 45:9, 58:7, 58:10 <b>TESTIMONY</b> [1] - 58:16 <b>text</b> [3] - 55:10, 56:19, 57:2 <b>THE</b> [1] - 45:3 <b>themselves</b> [4] - 54:11, 54:22, 55:3, 55:5 <b>thereafter</b> [1] - 58:12 <b>three</b> [4] - 47:2, 47:15, 51:12, 51:18 <b>Tiburon</b> [1] - 49:6 <b>today</b> [2] - 46:21, 46:22 <b>tonight</b> [1] - 56:16 <b>torn</b> [1] - 50:4 <b>town</b> [1] - 52:11 <b>transcribed</b> [1] - 58:12 <b>transcript</b> [1] - 58:14 <b>trend</b> [1] - 52:4 <b>Tribune</b> [1] - 51:3 <b>troubling</b> [1] - 53:17 <b>true</b> [1] - 58:14 <b>trustees</b> [3] - 50:19,
<b>P</b>	<b>p.m</b> [1] - 45:14 <b>PAGE</b> [2] - 45:2, 58:2 <b>paid</b> [1] - 53:6 <b>paperwork</b> [1] - 48:3	<b>questions</b> [2] - 52:17, 52:18 <b>quickly</b> [1] - 47:1 <b>quite</b> [1] - 55:1 <b>quote</b> [2] - 49:12, 50:6		



51:13, 51:14 <b>Trustees</b> [1] - 56:5 <b>truth</b> [1] - 58:9 <b>trying</b> [2] - 48:19, 54:11 <b>two</b> [2] - 50:17, 51:13 <b>typewritten</b> [1] - 58:13	<b>written</b> [2] - 54:4, 55:9
<b>U</b>	<b>Y</b>
<b>ultimately</b> [2] - 48:13, 51:7 <b>unable</b> [1] - 54:22 <b>under</b> [1] - 55:21 <b>United</b> [1] - 53:16 <b>unlandmark</b> [1] - 55:7 <b>unlandmarking</b> [2] - 46:13, 54:5 <b>up</b> [3] - 52:10, 54:20, 56:18	<b>year</b> [4] - 49:4, 50:5, 52:6, 52:11 <b>yearly</b> [1] - 51:5 <b>years</b> [4] - 48:16, 52:8, 52:15, 53:3
<b>V</b>	<b>Z</b>
<b>various</b> [1] - 58:7 <b>view</b> [1] - 48:20 <b>village</b> [8] - 47:22, 49:21, 50:11, 50:22, 55:20, 56:14, 56:20 <b>Village</b> [1] - 46:2 <b>villages</b> [1] - 51:8 <b>vintage</b> [1] - 49:15 <b>vote</b> [4] - 46:15, 49:19, 55:18, 56:16 <b>voted</b> [1] - 46:14	<b>Zoning</b> [1] - 49:17 <b>zoning</b> [2] - 50:14, 50:18
<b>W</b>	
<b>Washington</b> [6] - 45:5, 46:14, 47:3, 47:7, 47:9, 53:12 <b>WHEREOF</b> [1] - 58:16 <b>WHICH</b> [1] - 57:13 <b>willing</b> [1] - 55:19 <b>wink</b> [1] - 53:9 <b>Wisconsin</b> [1] - 58:22 <b>withdrawing</b> [1] - 48:2 <b>withdrawn</b> [1] - 47:5 <b>witnesses</b> [2] - 58:8, 58:11 <b>words</b> [2] - 46:19, 54:8 <b>writing</b> [2] - 53:15, 58:11	