



## MEETING AGENDA

**SPECIAL MEETING OF THE  
HISTORIC PRESERVATION COMMISSION  
Wednesday, December 14, 2016  
6:00 P.M.  
MEMORIAL HALL – MEMORIAL BUILDING  
(Tentative & Subject to Change)**

**1. Call to Order**

**2. Minutes – Review and approval of the minutes from the November 9, 2016, meeting.**

**3. Findings and Recommendations – Recommendations forwarded to the next Board of Trustees meeting.**

- a) Case HPC-01-2016 – 306 S. Garfield Avenue Local Landmark Application. (The applicant is nominating the home at 306 S. Garfield Avenue AND the coach house at 26 E. 3<sup>rd</sup> Street for designation of a Local Landmark. On October 12, 2016, the HPC recommended landmarking the structures separately to reflect the two separate parcels).
- b) Case HPC-05-2016 – 26 E. 3<sup>rd</sup> Street Local Landmark Application. The applicant is nominating the coach house at 26 E. 3<sup>rd</sup> Street for designation of a Local Landmark.

**4. Public Meetings – Certificate of Appropriateness**

- a) Case HPC-03-2016 – \*Continuation from the 10/12, and 11/09, 2016, meeting\*  
- 134 S. Park Ave. - Proposed additions to the first floor for a new family room, kitchen, prep kitchen and 2-car garage; and additions for the second floor for new bedrooms, closets and bathrooms.

**5. Discussion**

- a) 2016 Preservation Award to the Village of Hinsdale for the Oak Street Bridge and First Street Brick pavement between Elm Street and Park Avenue

**6. Adjournment**

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend any meetings and who require certain accommodations in order to allow them to observe and/or participate in these meetings, or who have questions regarding accessibility of the meetings or the facilities, are requested to contact Darrell Langlois, ADA Coordinator at 630.789-7014 or **by TDD at 789-7022** promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons.

website: [www.villageofhinsdale.org](http://www.villageofhinsdale.org)

Approved

MINUTES  
VILLAGE OF HINSDALE  
HISTORIC PRESERVATION COMMISSION

November 9, 2016 (Special Meeting)  
Memorial Hall – Memorial Building, 19 East Chicago Avenue, Hinsdale  
6:00 P.M.

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Chairman Bohnen called the special meeting of the Historic Preservation Commission (HPC) to order at 6:00 p.m. on November 9, 2016, in Memorial Hall in the Memorial Building, 19 East Chicago Avenue, Hinsdale IL.

Present: Chairman Bohnen, Commissioner D’Arco, Commissioner Willet and  
Commissioner Prisby  
Absent: Commissioner Gonzalez and Chan Yu, Village Planner  
Also Present: Director Robb McGinnis; Applicants for Case HPC-03-2016 & HPC-04-  
2016, and Ms. Karen Keefe, Executive Director of the Hinsdale Library

**Minutes**

Chairman Bohnen introduced the minutes from the October 12, 2016, meeting. Chairman Bohnen requested to change a word from “as” to “than” in the minutes. He next asked for any changes from the Commissioners. With none, Chairman Bohnen asked for a motion to approve the minutes. Commissioner D’Arco made a motion and Commissioner Prisby seconded. The motion passed unanimously.

**Findings and Recommendations – Recommendations forwarded to the next Board of Trustees meeting.**

**Case HPC-01-2016 – 306 S. Garfield Avenue Local Landmark Application.** (The applicant is nominating the home at 306 S. Garfield Avenue AND the coach house at 26 E. 3<sup>rd</sup> Street for designation of a Local Landmark. On October 12, 2016, the HPC recommended landmarking the structures separately to reflect the two separate parcels).

**Case HPC-05-2016 – 26 E. 3<sup>rd</sup> Street Local Landmark Application.** The applicant is nominating the coach house at 26 E. 3<sup>rd</sup> Street for designation of a Local Landmark.

Chairman Bohnen reviewed the Findings and Recommendations to the HPC for the next steps of the approval process to the Board of Trustees.

**Public Meeting – Certificate of Appropriateness**

**Case HPC-03-2016 – 134 S. Park Avenue - Proposed additions to the first floor for a new family room, kitchen, prep kitchen and 2-car garage; and additions for the second floor for new bedrooms, closets and bathrooms.**

Chairman Bohnen introduced the next item on the agenda as a public meeting for 134 S. Park Avenue. He began by reading typical historic preservation construction methods comments by Commissioner Gonzalez, who is unable to attend the meeting. In short, a design is created initially and worked progressively with the HPC and/or municipal staff for the project. To that end, the last meeting left off for potential alternatives by the applicant. Chairman Bohnen asked the architect if there are any additional thoughts or designs since the last meeting.

Bruce George, of Charles Vincent George Architects, responded no, but reviewed the outreach steps he and the applicant have completed prior to coming up with an appropriate design.

Chairman Bohnen stressed that it is very important for the members of the HPC to feel comfortable with the project prior to voting on the matter. And without Commissioner Gonzalez, who has spent the most time on the application, is hesitant to vote. On the other hand, he expressed that if the applicant would like the HPC to vote, they will.

Ms. Shannon Frey, the owner of the home reviewed the steps prior to submitting the Certificate of Appropriateness application. She echoed Bruce's steps, and that many designs were considered prior to the one submitted to the HPC. She also reviewed that she appreciates historic homes and has lived in several historic homes in the past. Ms. Frey reiterated that the size of the subject property is very large.

Chairman Bohnen expressed that Commissioner Gonzalez's point about the large project was that there should have been design alternatives that preserved more of the historical features of the home.

Reasons for the difficulty of alternative designs based on the lot, home configuration and historic feature locations ensued. Chairman Bohnen commented that purchasing a historic home means owning the floorplans that may not include modern features. On the other hand, Ms. Frey believes if you are not able to update the home, to sell it, it becomes a financial burden, which is a caveat to un-landmarking the home.

Commissioner D'Arco expressed concern for potentially setting precedence if there is not an agreement for the project.

Chairman Bohnen acknowledged that there is more discussion to be had, however, due to a time constraint of having another meeting at 7:30 PM by the Plan Commission, asked for a motion to continue this application. He also prefers that Commissioner Gonzalez is available to vote.

Chairman Bohnen asked for a motion to approve continue the item for the December 14 meeting. Commissioner D'Arco made a motion and Commissioner Willet seconded. The motion passed unanimously.

## **Public Meeting – Certificate of Appropriateness**

**Case HPC-04-2016 – 304 S. Lincoln St. - Proposed new front porch in the front yard abutting Lincoln Street; new screened porch and chimney on side yard; and new balustrade and stairs on the corner side yard abutting Third Street.**

Chairman Bohnen introduced the next discussion item, with a condition that Commissioner Prisby not vote on the matter since he is the architect of record.

Mr. Peter Coules introduced himself and reviewed that some of the HPC members visited the home at 304 S. Lincoln Street. A few features, such as a synthetic slate roof was agreed upon.

Chairman Bohnen asked if Commissioner D'Arco would like to visit the home himself prior to the HPC voting.

Commissioner D'Arco asked if there are any concerns with the application after visiting the subject property that the HPC needs to highlight.

Chairman Bohnen reviewed the concerns revolved around the substitution of materials, due to the old age of the porch and roof.

Commissioner Prisby reviewed the slate roof, and referenced that Commissioner Gonzalez believed the original home had a slate roof, and would be a great addition to the house.

Chairman Bohnen also clarified that the applicant will not be installing railings on the top of the porches.

Mr. Peter Coules concurred and replied that is a great point.

Chairman Bohnen reviewed that he is comfortable with voting on the matter, since him, Commissioner Gonzalez, the homeowner and architect reviewed the subject property.

Commissioner D'Arco stated that she is comfortable with voting without visiting the home.

Mr. Bohnen asked for a motion to approve the application. Commissioner D'Arco made the motion to continue it for discussion, Commissioner Willet seconded the motion, and the motion passed unanimously (3 Ayes, 1 abstention, and 1 absent)

## **Signage in the Historic Downtown District**

**Case A-34-2016 – 42 S. Washington Street (Hollis) – 1 Wall Sign and 1 Blade Sign**

Chairman Bohnen introduced the sign application for Hollis, a sign in the downtown Historic District. He reviewed the history of signage review by the HPC and referenced the need for review again due to some interesting new signs. For example, The Eye Doctor wall sign application exhibits do not reflect the actual installed signs, he explained. To that end, he recommends to the Village that signage not be approved unless it is very sure of what the actual sign will look like. Further, if possible, he'd like the HPC to opine on signage at the Garfield Crossing building, even though it is outside the Historic District boundary.

Commissioner Willet expressed his agreement with Chairman Bohnen in regards to the Eye Doctor signage. He added that it is not in keeping with the downtown. Commissioner Prisby and D'Arco echoed the same feelings about the signs.

A brief and positive discussion in support for the Hollis sign application ensued. Chairman Bohnen asked for a motion to approve the sign. Commissioner Prisby motioned, Commissioner D'Arco seconded, and the motion passed unanimously (3 Ayes and 1 absent)

### **Discussion**

#### **Hinsdale Public Library New Ground Sign Discussion – The Memorial Building is a Local Landmark and requires a Certificate of Appropriateness for Signage.**

Chairman Bohnen introduced the Hinsdale Public Library ground sign as a discussion item.

Commissioner Prisby explained that he spent a lot of time on this discussion item. He likes the location, the size and reason for it. He explained he's experienced a lot of people asking him for directions to the library. In terms of the design, he believes there should be a 2-inch gap between the cap and the limestone wall in between. A 2-inch reduction in the middle should help the piers stand out better.

Chairman Bohnen asked if he believes it's in keeping with the colonial look to the Memorial Hall building.

Commissioner Prisby explained, from that location, he sees the library and it is in keeping with it, and added the location is not necessarily in the context of the Memorial Hall building.

Chairman Bohnen replied good point.

Commissioner Willet expressed support for the sign and Commissioner Prisby's recommendation to drop the middle down about 2-inches.

Commissioner D'Arco believes it serves a necessary function, however, she thinks it's slightly modern looking.

Commissioner Prisby reiterated his thought that the library side of the area is somewhat more modern in his opinion.

Ms. Karen Keefe, Executive Director of the Hinsdale Library, added that the library is less than 30 years old.

Commissioner Willet asked for Commissioner Prisby's opinion on the color of the brick.

Commissioner Prisby explained it is very hard to match the brick like-for-like, however, since it is not connected to the library, it helps that it's not perfect. His preference is to have it match as close as possible.

Chairman Bohnen believes it's the right sign in the right location.

Additional discussion about the dimensions of the sign ensued.

Chairman Bohnen asked Ms. Keefe if she had any questions or comments she'd like to add.

Ms. Keefe thanked the HPC for their feedback and expressed it's been meaningful and has helped potentially save costs from going back and forth with the sign fabricator.

Commissioner D'Arco asked about the abbreviation for the direction of the street and recommended to keep it consistent with what's on the existing signage in the area.

Ms. Keefe agreed, and will either abbreviate both, or spell them both (direction and "Avenue") out.

Commissioner D'Arco added that it may look more formal if it's spelled out.

Chairman Bohnen concluded the discussion with looking forward to seeing the revision at a future HPC meeting.

**2016 Preservation Award to the Village of Hinsdale for the Oak Street Bridge and First Street Brick pavement between Elm Street and Park Avenue.**

Chairman Bohnen reviewed that unfortunately the photographs have not been completed yet and discuss it at the next meeting.

**Adjournment**

With no additional discussion, Commissioner Bohnen asked for a motion to adjourn. Commissioner Gonzalez made the motion and Commissioner D'Arco seconded. The meeting was adjourned at 7:01p.m. on November 9, 2016.

Respectfully Submitted,



, Village Planner

## HINSDALE HISTORIC PRESERVATION COMMISSION (HPC)

**RE: 306 S. Garfield Avenue (Sharon Starkson and James Oles)  
Designation as Landmark Building - HPC Case: HPC-01-2016**

**DATE OF HPC REVIEW: September 14, 2016 and October 12, 2016**

**DATE OF BOARD OF TRUSTEES 1<sup>ST</sup> READING: December 6, 2016**

### FINDINGS AND RECOMMENDATION

#### I. FINDINGS

1. Sharon Starkson and James Oles (the "Applicants") submitted an application under Section 14-3-2 of the Village Code of Hinsdale (the "Village Code") to the Village of Hinsdale ("Village") nominating the structure located at 306 S. Garfield Avenue for designation as an historic landmark. The applicants are the owner of record of the Subject Building.
2. The Subject Building also known as the William and Helen Coffeen House at 306 S. Garfield Street in Hinsdale, Illinois is a two and a half story Prairie School residence designed by architect George W. Maher in 1899. Per the HPC, the Coffeen House at 306 S. Garfield Ave. (PIN 09-12-131-004) and its original coach house located at 26 E. 3<sup>rd</sup> Street (PIN 09-12-131-003) shall be designated an official landmark by ordinance separately, each with its individual Findings and Recommendation. This is to prevent potential complications should the properties be sold separately. 26 E. 3<sup>rd</sup> Street has been given the HPC Case number: HPC-05-2016.
3. The Hinsdale Historic Preservation Commission finds that the Subject Building complies with one or more of the criteria set forth in Section 14-3-1 of the Village Code that shall be considered with a nomination for landmark designation for the following reasons, and specifically notes the following significant features in the exterior architectural appearance of the Subject Building and significant historical facts associated with the Subject Building that should be protected and preserved:
  - A. The Subject Building has significant character, interest or value as part of the historic, aesthetic, or architectural heritage of the Village, as set forth in Section 14-3-1A1 of the Village Code, because it contains both typical and atypical representation of the architecture of George W. Maher.
  - B. The Subject Building is closely identified with a person or persons who significantly contributed to the development of the Village, as set forth in Section 14-3-1A2 of the Village Code, because the Subject Building was designed by architect George Washington Maher. George W. Maher was born in Mill Creek, West Virginia on December 25, 1864. By 1883 Maher was living and working in Chicago. He is first listed in the Chicago directories in that year as a draftsman working in the office of Chicago architects Augustus Bauer and Henry W. Hill. By 1887 he had moved to the office of Joseph L. Silsbee in Chicago's Lakeside Building. While working for Silsbee, Maher learned how to make houses in the American styles that preceded the Prairie School and had first-hand experience in designing residences in the Shingle Style, Richardsonian Romanesque, and Colonial Revival. In the late 1890s, Maher began to formulate a personal style that departed from the revival styling of his early work. Responding in part to modern houses in the area, particularly Adler & Sullivan's Charnley House (1892) in Chicago and Frank Lloyd Wright's Winslow House (1894) in River Forest, Maher came to favor symmetrical designs with hipped roofs, broad porches, and walls faced with smooth surfaces of Roman brick or stucco.
  - C. The Subject Building represents certain distinguishing characteristics of architecture inherently valuable for the study and type of property, as set forth in Section 14-3-1B1 of the Village Code, because the Subject

Building is a fine example of a pivotal period in the evolution of Maher's Prairie School work as he refined his use of stucco as a material and used simple unadorned forms and complex details in stained glass and carved wood that became classic features of his architecture.

- D. The Subject Building embodies elements of design, detail, material, or craftsmanship of exceptional quality, as set forth in Section 14-3-1B2 of the Village Code, because the Subject Building contains exceptional detailing, included in the façade, which is symmetrical and is finished in stucco. The hipped roof has deep eaves and brick chimneys rise on the side elevations. Original, fret sawed ornament with ball beading is preserved at the cornices, around the entrance door, around the pair of windows on the second floor and around the roof dormer. A one-story, open porch extends across the front and there are six limestone steps in the center leading up to the wood porch deck. The porch is faced with white Roman brick with stone copings, it has four Roman brick piers supporting its roof, and Roman brick balustrades with stone copings border the stairs. Beneath the eaves, the cornice consists of ball beading with fret sawed wood in a pattern of repeated triangles running directly below. A flat wood frieze runs beneath the cornice.
- E. The Subject Building exemplifies or is one of the few remaining examples of a particular architectural style in terms of detail, material, and workmanship which has resulted in little or no alteration to its original construction, as set forth in Section 14-3-1B3 of the Village Code.
- F. The Subject Building is associated with the life or activities of a person who has significantly contributed to or participated in historic events associated with the Village, as set forth in Section 14-3-1-C3 of the Village Code, because the building's designer, George W. Maher, was nationally recognized for his contributions to architecture. He was elected to the American Institute of Architects in 1901 and became a Fellow in 1916. In 1918 he was elected President of the Illinois Society of Architects. In 1921, he acted as chairman of the municipal art and town planning committee of the American Institute of Architects and actively promoted the preservation of the Palace of Fine Arts from the World's Columbian Exposition, which eventually became the Museum of Science and Industry.

## II. RECOMMENDATION

The Village of Hinsdale Historic Preservation Commission, on a vote of three (3) "Ayes," and zero (0) "Nays," recommends that the President and Board of Trustees designate the Subject Building, in its entirety, as an historic landmark.

HINSDALE HISTORIC PRESERVATION COMMISSION

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

Chairperson

Dated this 9<sup>th</sup> day of November, 2016.



## HINSDALE HISTORIC PRESERVATION COMMISSION (HPC)

**RE: 26 E. Third Street - Coach House (Sharon Starkson and James Oles)  
Designation as Landmark Building - HPC Case: HPC-05-2016**

**DATE OF HPC REVIEW: September 14, 2016 and October 12, 2016**

**DATE OF BOARD OF TRUSTEES 1<sup>ST</sup> READING: December 6, 2016**

### FINDINGS AND RECOMMENDATION

#### I. FINDINGS

1. Sharon Starkson and James Oles (the “Applicants”) submitted an application under Section 14-3-2 of the Village Code of Hinsdale (the “Village Code”) to the Village of Hinsdale (“Village”) nominating the structure located at 306 S. Garfield Avenue for designation as an historic landmark. The applicants are the owner of record of the Subject Building.
2. The Subject Building also known as the William and Helen Coffeen House at 306 S. Garfield Street in Hinsdale, Illinois is a two and a half story Prairie School residence designed by architect George W. Maher in 1899. Per the HPC, the Coffeen House at 306 S. Garfield Ave. (PIN 09-12-131-004) and its original coach house located at 26 E. 3<sup>rd</sup> Street (PIN 09-12-131-003) shall be designated an official landmark by ordinance separately, each with its individual Findings and Recommendation. This is to prevent potential complications should the properties be sold separately. The coach house at 26 E. 3<sup>rd</sup> Street has been given the HPC Case number: HPC-05-2016.
3. The Hinsdale Historic Preservation Commission finds that the Subject Building complies with one or more of the criteria set forth in Section 14-3-1 of the Village Code that shall be considered with a nomination for landmark designation for the following reasons, and specifically notes the following significant features in the exterior architectural appearance of the Subject Building and significant historical facts associated with the Subject Building that should be protected and preserved:
  - A. The Subject Building has significant character, interest or value as part of the historic, aesthetic, or architectural heritage of the Village, as set forth in Section 14-3-1A1 of the Village Code, because it contains both typical and atypical representation of the architecture of George W. Maher.
  - B. The Subject Building is closely identified with a person or persons who significantly contributed to the development of the Village, as set forth in Section 14-3-1A2 of the Village Code, because the Subject Building was designed by architect George Washington Maher. George W. Maher was born in Mill Creek, West Virginia on December 25, 1864. By 1883 Maher was living and working in Chicago. He is first listed in the Chicago directories in that year as a draftsman working in the office of Chicago architects Augustus Bauer and Henry W. Hill. By 1887 he had moved to the office of Joseph L. Silsbee in Chicago’s Lakeside Building. While working for Silsbee, Maher learned how to make houses in the American styles that preceded the Prairie School and had first-hand experience in designing residences in the Shingle Style, Richardsonian Romanesque, and Colonial Revival. In the late 1890s, Maher began to formulate a personal style that departed from the revival styling of his early work. Responding in part to modern houses in the area, particularly Adler & Sullivan’s Charnley House (1892) in Chicago and Frank Lloyd Wright’s Winslow House (1894) in River Forest, Maher came to favor symmetrical designs with hipped roofs, broad porches, and walls faced with smooth surfaces of Roman brick or stucco.
  - C. The Subject Building represents certain distinguishing characteristics of architecture inherently valuable for the study and type of property, as set forth in Section 14-3-1B1 of the Village Code, because the Subject

Building is a fine example of a pivotal period in the evolution of Maher's Prairie School work as he refined his use of stucco as a material and used simple unadorned forms and complex details in stained glass and carved wood that became classic features of his architecture.

- D. The Subject Building embodies elements of design, detail, material, or craftsmanship of exceptional quality, as set forth in Section 14-3-1B2 of the Village Code, because the Subject Building contains exceptional detailing, included in the façade, which is an L-shaped, two-story structure with stucco walls that are slightly flared at the base. The long section has a hip-on-gable or jerkin head roof with brackets under the eaves, a hipped dormer, and a cupola. The windows on the long elevation are separated by exposed timberwork. The shorter section of the coach house has a half-hipped roof with an inset dormer. On the side (east) elevation of the long wing, the grouping of windows separated by exposed timbers is original. There also are two small original windows at the rear of the coach house.
- E. The Subject Building exemplifies or is one of the few remaining examples of a particular architectural style in terms of detail, material, and workmanship which has resulted in little or no alteration to its original construction, as set forth in Section 14-3-1B3 of the Village Code.
- F. The Subject Building is associated with the life or activities of a person who has significantly contributed to or participated in historic events associated with the Village, as set forth in Section 14-3-1-C3 of the Village Code, because the building's designer, George W. Maher, was nationally recognized for his contributions to architecture. He was elected to the American Institute of Architects in 1901 and became a Fellow in 1916. In 1918 he was elected President of the Illinois Society of Architects. In 1921, he acted as chairman of the municipal art and town planning committee of the American Institute of Architects and actively promoted the preservation of the Palace of Fine Arts from the World's Columbian Exposition, which eventually became the Museum of Science and Industry.

## II. RECOMMENDATION

The Village of Hinsdale Historic Preservation Commission, on a vote of three (3) "Ayes," and zero (0) "Nays," recommends that the President and Board of Trustees designate the Subject Building, in its entirety, as an historic landmark.

HINSDALE HISTORIC PRESERVATION COMMISSION

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

Chairperson

Dated this 9<sup>th</sup> day of November, 2016.



## MEMORANDUM

**DATE:** December 14, 2016

**TO:** Chairman Bohnen and Historic Preservation Commissioners

**CC:** Kathleen A. Gargano, Village Manager  
Robb McGinnis, Director of Community Development/Building Commissioner

**FROM:** Chan Yu, Village Planner 

**RE:** 134 S. Park Avenue –Certificate of Appropriateness Application for Landmarked Home Review for Proposed Additions to First and Second Floor **\*Continuation from 11/09/16\***

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### Summary

The Village of Hinsdale has received an application from Shannon Frey, owner of 134 S. Park Avenue, requesting approval for a Certificate of Appropriateness to construct new additions to the first and second floors. Per Code, no alteration or permits shall be issued for any physical modifications of the exterior architectural appearance of a landmarked home without a Certificate of Appropriateness by the Historic Preservation Commission (HPC). On October 12, 2016, this application was discussed and continued at the HPC meeting. On November 9, 2016, the submittal included a fence to be considered as part of the Certificate of Appropriateness (Attachment 1), and continued for the December 14, 2016, HPC meeting.

### Request and Analysis

The property features a 2.5-story wood framed and wood clad house constructed in circa 1904 in a Colonial Revival style. The home was locally landmarked in 2002. Per the approved 2002 Findings and Recommendations, the subject building has significant historic value due to its Colonial Revival style with the picturesque details of the Queen Anne style. And certain distinguishing characteristics of architecture inherently valuable for the study of a time period, type of property, method of construction or use of materials that should be protected and preserved. For example, the hip roof, double-hung windows and elements of the semi-circular side porch/front entrance portico/rear porte cochere have been referenced in the original Landmark application and Findings and Recommendations as significant features.

Per the applicant, the new addition to the first floor will include a new kitchen, kitchen prep, family room and 2 car garage. The second floor addition will include new bedrooms, walk-in-closets, exercise room and roof deck. The additions do not appear to be visible from Park Street, except for a corner of the new garage, behind the home, and approximately 106 feet from the front lot line. The subject property is located in the R-1 Single Family Residential District and borders the same to the north, east, and south, and the IB Institutional Buildings District to the west.



## MEMORANDUM

### Process

Pursuant to Title 14, Section 14-5-5: (A) If the application is approved without conditions, the HPC shall issue the certificate of appropriateness permitting the Building Commissioner to proceed with other required reviews and approvals. (B) If the application is approved with conditions, the HPC shall notify the applicant in writing and shall specify the conditions to be imposed and the reasons therefor in light of the criteria applicable to this Chapter. If the applicant notifies the HPC in writing that the conditions are acceptable, or if the applicant does not appeal the approval with conditions within the prescribed period of time, the HPC shall issue the certificate of appropriateness, subject to the conditions. (C) If the application is denied, the HPC shall notify the applicant in writing and shall specify the particulars in which the application is inconsistent with the criteria applicable to this Chapter. If the HPC issues a denial of the certificate of appropriateness, no alteration shall be permitted to proceed, and no permits shall be issued for, the proposed alteration, demolition, signage, or any other physical modifications of, the designated landmark.

The Title 14, Section 14-5-2 (A) General Standards and (B) Design Standards to review can be found on Attachment 2.

### Attachments:

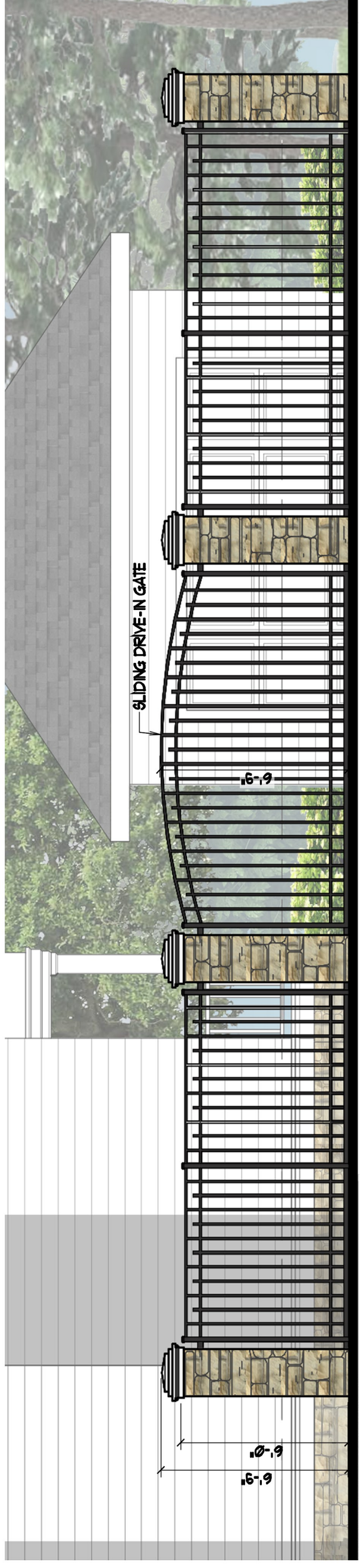
Attachment 1: Fence Exhibit

Attachment 2: Village Fence Ordinance

The following related materials were provided for the public meeting of this item on October 12, 2016, and can be found on the Village website at:

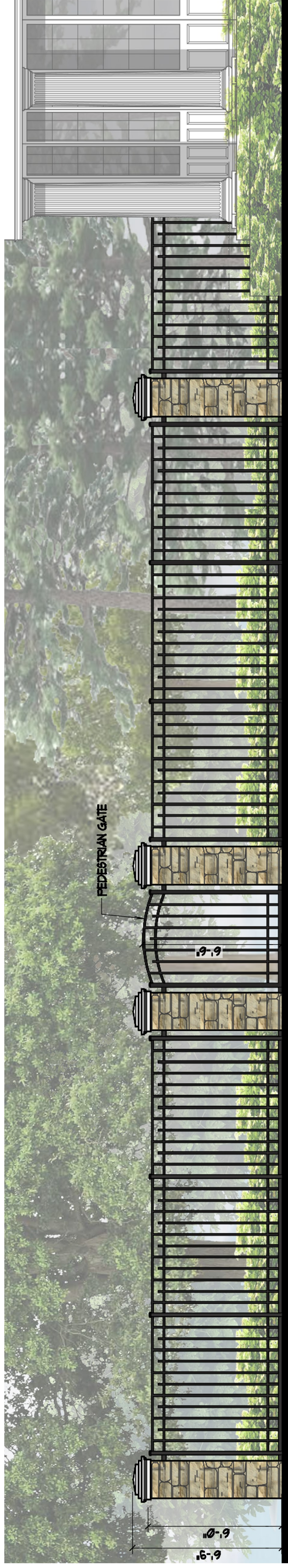
[http://www.villageofhinsdale.org/document\\_center/HistoricPreservation/2016/OCT/161012%20HPC.pdf](http://www.villageofhinsdale.org/document_center/HistoricPreservation/2016/OCT/161012%20HPC.pdf)

- Application for Certificate of Appropriateness and Exhibits (packet)
- Exhibits from 2002 Approved Designation as Landmark Building
- Zoning Map and Project Location
- Aerial View of 134 S. Park Avenue
- Street View of 134 S. Park Avenue
- Title 14, Section 14-5-2: Criteria (A) and (B)



**A** PARTIAL EAST ELEVATION

SCALE: 1/4" = 1'-0"



**B** PARTIAL EAST ELEVATION

SCALE: 1/4" = 1'-0"



**C** EAST ELEVATION

SCALE: 1/8" = 1'-0"



**ORDINANCE NO. O2016-25**

**AN ORDINANCE AMENDING SECTION 9-12-3 (FENCES) OF THE VILLAGE CODE OF HINSDALE RELATIVE TO THE MAXIMUM HEIGHT OF FENCES ON RESIDENTIAL LOTS**

**WHEREAS**, the Village of Hinsdale (the "Village") is a non-home rule municipality, having all of the powers and authority granted to such municipalities pursuant to Article VII, Section 7 of the Illinois Constitution of 1970; and

**WHEREAS**, in November, 2015, members of the Village of Hinsdale Historic Preservation Commission ("HPC") initiated a discussion with the Village Board of Trustees concerning fences in front yards within the Village; and

**WHEREAS**, the Board of Trustees at that time directed staff to work with the HPC on possible Village Code amendments relative to fences; and

**WHEREAS**, at its meeting of March 8, 2016, the HPC recommended certain amendments relative to fences and asked staff to convey their proposed amendments to the Board of Trustees; and

**WHEREAS**, the Board of Trustees has considered the proposed amendments relative to fences made by the HPC, and, with certain modifications, now desires to codify the amendments and finds and determines that it is in the best interests of the Village, its residents, and businesses, to amend the Village Code relative to fences as set forth below.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

**SECTION 1. Recitals.** The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

**SECTION 2. Code Amendments.** Title 9 (Building Regulations), Chapter 12 (Miscellaneous Provisions), Section 3 (Fences) of the Village Code of Hinsdale is amended to read in its entirety as follows:

**9-12-3: FENCES:**

A. Definitions: For the purposes of this section, the definitions of terms contained in the Hinsdale zoning ordinance shall apply to those terms as used in this section. Other terms are hereby defined as follows:

**FENCE:** Any structure, other than an enclosed building, forming a barrier or boundary between lots, between a lot and any street or alley, or between portions of a lot or lots.

**MAINTENANCE:** Incidental repairs to less than fifty percent (50%) of the total area of an existing fence.

**REPLACE:** The reconstruction of a fence due to damage, destruction, or alteration of fifty percent (50%) or more of the total area of an existing fence. "Maintenance" as defined in this section shall not be included.

**WINGWALL:** Architectural features of a structure that can appear to be a fence or wall, extending beyond the exterior face of a structure typically made of the same materials as the structure to which they are attached.

- B. **General Prohibition:** No fence shall be built, installed, erected, enlarged, extended, maintained, replaced, or allowed to exist in violation of the provisions of this section. Any fence so built, installed, erected, enlarged, extended, replaced, or maintained, except as provided in subsection K of this section, shall be removed by the owner thereof.
- C. **Permit Required:** No person shall build, install, erect, enlarge, replace, or extend a fence or part thereof without obtaining in advance a permit therefor and paying the fee provided in section 9-1-4 of this title. An application under this section shall be made to the building commissioner and shall include a sketch plan describing the proposed fence and showing, to the extent necessary to establish compliance with the requirements of this section, its location in relation to: 1) the lot lines of the lot on which the fence is placed, 2) any structures on said lot, and 3) any structures on adjacent properties, and depicting any proposed grade changes in said area.
- D. **Construction Standards; General:** All fences shall be built, installed, erected, reconstructed, restored, replaced, or extended in a good and workmanlike manner. No structural components of a fence, other than the structural components of a brick or stone fence, shall exceed six inches (6") in width. All fences shall be securely anchored in the ground. All fences shall be built, installed, erected, reconstructed, restored, replaced, or extended so that all posts and other structural components, and the unfinished side of the fence, if any, shall face into the lot on which the fence is placed. Fences shall be constructed of wood, aluminum, wrought iron, brick, stone, or polyvinyl chloride (PVC). Welded wire and plastic fabric type fencing are prohibited unless otherwise authorized on a temporary basis pursuant to a permit issued by the village for demolition or to construct a new principal structure in accordance with subsection 9-1-7F of this title.
- E. **Construction Standards; Height:** No fence or part thereof shall be permitted in excess of the following height limits:

1. Residential districts and lots used for residential purposes:

a.	Front yard, except for subsections <u>E1d</u> and <u>E1e</u> and <u>E1f</u> of this section (solid fences shall be limited to 24 inches in height as measured from the natural grade as set forth in subsection H3 of this section)	<del>3 feet</del> <u>4 feet</u>
b.	Corner side yard, except for subsections <u>E1d</u> and <u>E1e</u> and <u>E1f</u> of this section	4 feet
c.	Any other yard, except for subsections <u>E1d</u> and <u>E1e</u> of this section	6 feet
d.	Within 10 feet of and parallel to a lot line of any lot used for nonresidential purposes	8 feet

e.	Within 10 feet of and parallel to a lot line abutting the Illinois Tri-State Toll Road, Route 83, 55th Street, or Ogden Avenue rights of way	8 feet
f.	<u>When a front or corner side yard fence is i) open (greater than 1/3<sup>rd</sup> of the total fence contour); and ii) constructed of cast aluminum or wrought iron; and iii) the property on which the fence is located has a front lot line with a width of not less than one hundred twenty-five feet (125'), and a total lot area not less than thirty thousand square feet (30,000 sq. ft.)</u>	5 feet
g.	<u>Driveway entry gates, and any parapet or column utilized in a fence design</u>	8 feet

2. Nonresidential districts and lots used for nonresidential purposes:

- a. Front yard: Eight feet (8');
- b. Corner side yard: Eight feet (8');
- c. Any other yard: Eight feet (8');

provided, however, the maximum allowable fence height provided for in this subsection E2 shall be reduced to a maximum height of not less than four feet (4') along any lot line abutting a lot used for residential purposes, if determined by the building commissioner to be necessary for purposes of promoting pedestrian and vehicular traffic safety.

3. Exceptions to subsections E1 and E2 of this section:

a.	Chainlink fences wherever located	4 feet
b.	Any fence governed by the provisions of section <u>7-1D-4</u> or <u>7-1D-5</u> of this code	2 feet
c.	Any post or other principal vertical support component	6 inches above maximum height

F. Measurement Of Height: The height of all fences shall be measured from the existing natural grade on which the fence is located, as determined by the building commissioner, to the top of the fence. For front yard fences in residential districts and lots used for residential purposes, the building commissioner has the authority to administratively approve up to twelve inches (12") of additional height in order to accommodate changes in grade.

G. Maintenance: All fences shall be maintained in good condition.

H. Prohibited Fences: Notwithstanding any provision of this code to the contrary, the following prohibitions apply to all fences in the village:

- 1. No fence shall be permitted in violation of sections 7-1D-4 to 7-1D-5 of this code.
- 2. No chainlink, stockage, or cinder block fence shall be permitted in any front yard or any corner side yard.



3. No "solid fence", as defined herein, shall be permitted that exceeds twenty-four inches (24") in height as measured from the natural grade in any front yard or any corner side yard. A "solid fence" is a fence in which the open spaces, when viewed at a right angle to the vertical fence plane, constitute less than one-third ( $\frac{1}{3}$ ) of the total fence contour. The "total fence contour" is the entire square-foot area within and between the outside vertical outline of the fence. The "open spaces" are areas within the "total fence contour", which, when viewed at right angles to the vertical fence plane, allow clear visibility through said fence plane.
  4. No chainlink fence shall contain strips or slats of any kind between or among the links.
  5. No barbed wire fences shall be permitted; provided, however, that no more than three (3) strands of barbed wire may be used on the top of fences enclosing public utility facilities.
  6. No electrically charged fences shall be permitted.
  7. No wingwall may encroach into a required yard.
- I. Protective Fences: Any school, church, hospital, or library may petition to the zoning board of appeals for a permit to construct a protective fence that would not conform to the requirements of subsection E of this section or the requirements of subsection H1 of this section insofar as such requirements relate to chainlink fences; provided, however, that under no circumstances shall any fence be permitted under this subsection on a lot zoned in the AA or A residence districts of the Hinsdale zoning ordinance which is used for residential purposes except in conformance with all the requirements of this section. The zoning board of appeals shall approve such petition only upon the finding that: 1) the fence is justified in light of the seriousness of the risk posed to the safety of persons and the fence will mitigate that risk; 2) the fence will not alter the essential character of the locality; 3) the fence will be in harmony with the general purpose and intent of this section; 4) the fence will set no unfavorable precedent either to the locality or to the village as a whole; 5) the fence will be the minimum size and type necessary to accomplish its intended purpose; and 6) the fence will not adversely affect the public safety and general welfare.
- J. Variations: Other than for variations to subsections E1f and E1g, anyAny person may petition to the zoning board of appeals for a variation from the provisions of this section. Variations to subsections E1f and E1g shall be heard by the plan commission.
1. A petition for a variation shall include the following information: name, address, and telephone number of petitioner; a description of the requested variation; a site plan, drawn to scale, depicting the proposed fence and showing its location in relation to the lot lines of the lot on which the fence is placed, any structures on said lot, and all adjacent properties; existing elevations in the area in which the fence is placed and any proposed grade changes in said area; and such additional information as the plan commission or zoning board of appeals may require.
  2. The zoning board of appeals shall grant a variation from the provisions of this section other than for variations to subsections E1f and E1g only upon finding that: 1) the petitioner is affected by unique circumstances which create a hardship justifying relief from the provisions of this section, 2) the variation will not alter the essential character of the locality, 3) the variation will be in harmony with the general purpose and intent of this section, 4) the

variation will set no unfavorable precedent either to the locality or to the village as a whole, 5) the variation will be the minimum necessary to afford relief to the petitioner, and 6) the variation will not adversely affect the public safety and general welfare. Every grant of a variation shall be based on written findings of fact evidencing compliance with the foregoing standards and specifying the reasons for granting the variation.

3. The plan commission shall recommend, and the board of trustees shall grant, a variation from the provisions of subsections E1f and E1g only upon finding that: 1) the petitioner is affected by unique circumstances justifying relief from the provisions of this section, 2) the variation will not alter the essential character of the locality, 3) the variation will be in harmony with the general purpose and intent of this section, 4) the variation will set no unfavorable precedent either to the locality or to the village as a whole, 5) the variation will be the minimum necessary to afford relief to the petitioner, and 6) the variation will not adversely affect the public safety and general welfare. Every grant of a variation shall be based on written findings of fact evidencing compliance with the foregoing standards and specifying the reasons for granting the variation.

- K. Nonconforming Fences: All fences heretofore lawfully constructed and not in conformity with the provisions of this section shall be deemed nonconforming fences and may exist and may be maintained; provided, however, that no such maintenance shall expand any existing nonconformity or create any new nonconformity. No nonconforming fence shall be enlarged or extended in any manner except in accordance with the provisions of this section.
- L. Swimming Pools: Nothing in this section shall be construed to alter or limit the provisions of the international residential code related to fences designed to enclose swimming pools.
- M. Exemptions: The provisions of this section shall not apply to fences owned or maintained by the village or to fences constructed and maintained by any other governmental body or agency for the principal purpose of reducing noise. (Ord. O2008-46, 8-12-2008)

**SECTION 3:** All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

**SECTION 4:** Each section, paragraph, clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision.

**SECTION 5:** Except as to the Code Amendments set forth above in this Ordinance, all Chapters and Sections of the Village Code of the Village of Hinsdale, as amended, shall remain in full force and effect.

**SECTION 6:** This Ordinance shall be in full force and effect from and after its adoption, approval, and publication in pamphlet form as provided by law.

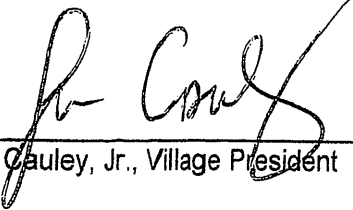
PASSED this 17th day of May 2016.

AYES: Trustees Elder, Stifflear, Hughes, LaPlaca,


NAYS: Trustee Saigh

ABSENT: Trustee Byrnes

APPROVED by me this 17th day of May, 2016, and attested to by the Village Clerk this same day.

  
\_\_\_\_\_  
Thomas K. Cauley, Jr., Village President



ATTEST:  
  
\_\_\_\_\_  
Christine M. Bruton, Village Clerk

This Ordinance was published by me in pamphlet form on the 18th day of

May, 2016.

  
\_\_\_\_\_  
Christine M. Bruton, Village Clerk

## 9-12-3: FENCES:

A. Definitions: For the purposes of this section, the definitions of terms contained in the Hinsdale zoning ordinance shall apply to those terms as used in this section. Other terms are hereby defined as follows:

FENCE: Any structure, other than an enclosed building, forming a barrier or boundary between lots, between a lot and any street or alley, or between portions of a lot or lots.

MAINTENANCE: Incidental repairs to less than fifty percent (50%) of the total area of an existing fence.

REPLACE: The reconstruction of a fence due to damage, destruction, or alteration of fifty percent (50%) or more of the total area of an existing fence. "Maintenance" as defined in this section shall not be included.

WINGWALL: Architectural features of a structure that can appear to be a fence or wall, extending beyond the exterior face of a structure typically made of the same materials as the structure to which they are attached.

B. General Prohibition: No fence shall be built, installed, erected, enlarged, extended, maintained, replaced, or allowed to exist in violation of the provisions of this section. Any fence so built, installed, erected, enlarged, extended, replaced, or maintained, except as provided in subsection K of this section, shall be removed by the owner thereof.

C. Permit Required: No person shall build, install, erect, enlarge, replace, or extend a fence or part thereof without obtaining in advance a permit therefor and paying the fee provided in section [9-1-4](#) of this title. An application under this section shall be made to the building commissioner and shall include a sketch plan describing the proposed fence and showing, to the extent necessary to establish compliance with the requirements of this section, its location in relation to: 1) the lot lines of the lot on which the fence is placed, 2) any structures on said lot, and 3) any structures on adjacent properties, and depicting any proposed grade changes in said area.

D. Construction Standards; General: All fences shall be built, installed, erected, reconstructed, restored, replaced, or extended in a good and workmanlike manner. No structural components of a fence, other than the structural components of a brick or stone fence, shall exceed six inches (6") in width. All fences shall be securely anchored in the ground. All fences shall be built, installed, erected, reconstructed, restored, replaced, or extended so that all posts and other structural components, and the unfinished side of the fence, if any, shall face into the lot on which the fence is placed. Fences shall be constructed of wood, aluminum, wrought iron, brick, stone, or polyvinyl chloride (PVC). Welded wire and plastic fabric type fencing are prohibited unless otherwise authorized on a temporary basis pursuant to a permit issued by the village for demolition or to construct a new principal structure in accordance with subsection [9-1-7F](#) of this title.

E. Construction Standards; Height: No fence or part thereof shall be permitted in excess of the following height limits:

1. Residential districts and lots used for residential purposes:

a. Front yard, except for subsections E1d, E1e and E1f of this section (solid fences shall be limited to 24 inches in height as measured from the natural grade as set forth in subsection H3 of this section): Four feet (4').

b. Corner side yard, except for subsections E1d and E1e of this section: Four feet (4').

c. Any other yard, except for subsections E1d and E1e of this section: Six feet (6').

- d. Within ten feet (10') of and parallel to a lot line of any lot used for nonresidential purposes: Eight feet (8').
- e. Within ten feet (10') of and parallel to a lot line abutting the Illinois Tri-State Toll Road, Route 83, 55th Street, or Ogden Avenue rights of way: Eight feet (8').
- f. When a front yard fence is: 1) open (greater than  $\frac{1}{3}$  of the total fence contour); and 2) constructed of cast aluminum or wrought iron; and 3) the property on which the fence is located has a front lot line with a width of not less than one hundred twenty five feet (125'), and a total lot area not less than thirty thousand (30,000) square feet: Five feet (5').
- g. Driveway entry gates, and any parapet or column utilized in a fence design: Eight feet (8').

2. Nonresidential districts and lots used for nonresidential purposes:

- a. Front yard: Eight feet (8');
- b. Corner side yard: Eight feet (8');
- c. Any other yard: Eight feet (8');

provided, however, the maximum allowable fence height provided for in this subsection E2 shall be reduced to a maximum height of not less than four feet (4') along any lot line abutting a lot used for residential purposes, if determined by the building commissioner to be necessary for purposes of promoting pedestrian and vehicular traffic safety.

3. Exceptions to subsections E1 and E2 of this section:

- a. Chainlink fences wherever located: Four feet (4').
- b. Any fence governed by the provisions of section [7-1D-4](#) or [7-1D-5](#) of this code: Two feet (2').
- c. Any post or other principal vertical support component: Six inches (6") above maximum height.

F. Measurement Of Height: The height of all fences shall be measured from the existing natural grade on which the fence is located, as determined by the building commissioner, to the top of the fence. For front yard fences in residential districts and lots used for residential purposes, the building commissioner has the authority to administratively approve up to twelve inches (12") of additional height in order to accommodate changes in grade.

G. Maintenance: All fences shall be maintained in good condition.

H. Prohibited Fences: Notwithstanding any provision of this code to the contrary, the following prohibitions apply to all fences in the village:

- 1. No fence shall be permitted in violation of sections [7-1D-4](#) to [7-1D-5](#) of this code.
- 2. No chainlink, stockage, or cinder block fence shall be permitted in any front yard or any corner side yard.
- 3. No "solid fence", as defined herein, shall be permitted that exceeds twenty four inches (24") in height as measured from the natural grade in any front yard or any corner side yard. A "solid fence" is a fence in which the open spaces, when viewed at a right angle to the vertical fence plane, constitute less than one-third ( $\frac{1}{3}$ ) of the total fence contour.

The "total fence contour" is the entire square foot area within and between the outside vertical outline of the fence. The "open spaces" are areas within the "total fence contour", which, when viewed at right angles to the vertical fence plane, allow clear visibility through said fence plane.

4. No chainlink fence shall contain strips or slats of any kind between or among the links.
  5. No barbed wire fences shall be permitted; provided, however, that no more than three (3) strands of barbed wire may be used on the top of fences enclosing public utility facilities.
  6. No electrically charged fences shall be permitted.
  7. No wingwall may encroach into a required yard.
- I. Protective Fences: Any school, church, hospital, or library may petition to the zoning board of appeals for a permit to construct a protective fence that would not conform to the requirements of subsection E of this section or the requirements of subsection H1 of this section insofar as such requirements relate to chainlink fences; provided, however, that under no circumstances shall any fence be permitted under this subsection on a lot zoned in the residence districts of the Hinsdale zoning ordinance which is used for residential purposes except in conformance with all the requirements of this section. The zoning board of appeals shall approve such petition only upon the finding that: 1) the fence is justified in light of the seriousness of the risk posed to the safety of persons and the fence will mitigate that risk; 2) the fence will not alter the essential character of the locality; 3) the fence will be in harmony with the general purpose and intent of this section; 4) the fence will set no unfavorable precedent either to the locality or to the village as a whole; 5) the fence will be the minimum size and type necessary to accomplish its intended purpose; and 6) the fence will not adversely affect the public safety and general welfare.
- J. Variations: Any person may petition to the zoning board of appeals for a variation from the provisions of this section. A petition for a variation shall include the following information: name, address, and telephone number of petitioner; a description of the requested variation; a site plan, drawn to scale, depicting the proposed fence and showing its location in relation to the lot lines of the lot on which the fence is placed, any structures on said lot, and all adjacent properties; existing elevations in the area in which the fence is placed and any proposed grade changes in said area; and such additional information as the plan commission may require. The plan commission shall recommend, and the board of trustees shall grant, a variation from the provisions of this section only upon finding that: 1) the petitioner is affected by unique circumstances justifying relief from the provisions of this section, 2) the variation will not alter the essential character of the locality, 3) the variation will be in harmony with the general purpose and intent of this section, 4) the variation will set no unfavorable precedent either to the locality or to the village as a whole, 5) the variation will be the minimum necessary to afford relief to the petitioner, and 6) the variation will not adversely affect the public safety and general welfare. Every grant of a variation shall be based on written findings of fact evidencing compliance with the foregoing standards and specifying the reasons for granting the variation.
- K. Nonconforming Fences: All fences heretofore lawfully constructed and not in conformity with the provisions of this section shall be deemed nonconforming fences and may exist and may be maintained; provided, however, that no such maintenance shall expand any existing nonconformity or create any new nonconformity. No nonconforming fence shall be enlarged or extended in any manner except in accordance with the provisions of this section.
- L. Swimming Pools: Nothing in this section shall be construed to alter or limit the provisions of the international residential code related to fences designed to enclose swimming pools.

M. Exemptions: The provisions of this section shall not apply to fences owned or maintained by the village or to fences constructed and maintained by any other governmental body or agency for the principal purpose of reducing noise. (Ord. O2016-25, 5-17-2016)