#### **MEETING AGENDA**



# VILLAGE BOARD OF TRUSTEES Tuesday, September 5, 2017 7:30 P.M. MEMORIAL HALL – MEMORIAL BUILDING

- 1. CALL TO ORDER
- 2. PLEDGE OF ALLEGIANCE
- 3. APPROVAL OF MINUTES
  - a) Regular Meeting of August 15, 2017
- 4. CITIZENS' PETITIONS (Pertaining to items appearing on this agenda)\*
- 5. PROCLAMATION LITTLE LEAGUE
- 6. VILLAGE PRESIDENT'S REPORT
- 7. APPROVAL OF AN AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE VILLAGE MANAGER AND THE VILLAGE OF HINSDALE
- 8. FIRST READINGS INTRODUCTION

Items included for First Reading - Introduction may be disposed of in any one of the following ways: (1) moved to Consent Agenda for the subsequent meeting of the Board of Trustees; (2) moved to Second Reading/Non-Consent Agenda for consideration at a future meeting of the Board of Trustees; or (3) referred to Committee of the Whole or appropriate Board or Commission. (Note that zoning matters will not be included on any Consent Agenda; all zoning matters will be afforded a First and a Second Reading. Zoning matters indicated below by \*\*.)

#### **Zoning & Public Safety (Chair Stifflear)**

- a) Approve an Ordinance Approving a Special Use Permit to Operate a Physical Fitness Faci8lity in the B-1 Community Business Zoning District at 5819 S. Madison Street\*\*
- b) Approve an Ordinance Amending Title 3 ("Business and License Regulations"), Chapter 11 ("Solicitation") of the Village Code of Hinsdale

#### 9. CONSENT AGENDA

All items listed below have previously had a First Reading of the Board or are considered Routine\*\*\* and will be moved forward by one motion. There will be no separate discussion of these items unless a member of the Village Board or citizen so request, in which event the item will be removed from the Consent Agenda.

#### **Administration & Community Affairs (Chair Hughes)**

- a) Approval and payment of the accounts payable for the period of August 16, 2017, through September 5, 2017, in the aggregate amount of \$1,956,133.89 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk\*\*\*
- b) Accept and Place on File the Post-Issuance Tax Compliance Report (*First Reading August 15, 2017*)
- c) Approve paid time off in the amount of 37.5 hours per fiscal year for permanent parttime employees who annually work at least 21 hours per week and have been employed with the Village of Hinsdale for at least one year (*First Reading – August 15,* 2017)

#### **Environment & Public Services (Chair Byrnes)**

- d) Approve a Resolution approving the 2017 Accelerated Resurfacing construction contract Change Order #1, to reduce the contract value by an amount not to exceed \$19,033 to ALamp Concrete Contractors (*First Reading August 15, 2017*)
- e) Approve an Ordinance Authorizing the Vacation of a Certain Portion of an Unimproved Alley Situated East of and Adjoining 829 S. Thurlow Street in the Village of Hinsdale, DuPage and Cook Counties, Illinois\*\*\*

#### **Zoning & Public Safety (Chair Stifflear)**

f) Approve an Ordinance Authorizing the Disposal of Personal Property owned by the Village of Hinsdale\*\*\*

#### 10. SECOND READINGS / NON-CONSENT AGENDA - ADOPTION

These items require action of the Board. Typically, items appearing for Second Reading have been referred for further discussion/clarification or are zoning cases that require two readings. In limited instances, items may be included on the Non-Consent Agenda that have not had the benefit of a First Reading due to emergency nature or time sensitivity.\*\*\*\*

#### **Zoning & Public Safety (Chair Stifflear)**

- a) Approve an Ordinance Approving a Variation for a Front and Interior Side Yard Encroachment as a Reasonable Accommodation 122 W. Walnut Street\*\* (Public Hearing August 15, 2017)
- b) Approve an Ordinance Approving a Lot Size Variation for Property Located at 435 Woodside Avenue, Hinsdale, Illinois Matt Bousquette/Kris & Tracy Parker ZBA Case Number V-04-17\*\* (*First Reading August 15, 2017*)

#### 11. DISCUSSION ITEMS

- a) Humane Society, Robert Crown Center location
- b) Burlington Park Fountain
- c) Extension of Café la Fortuna's temporary use
- d) Construction update
- e) Update on proposed I-294 Tollway expansion

#### 12. DEPARTMENT AND STAFF REPORTS

- a) Parks & Recreation
- b) Economic Development
- c) Community Development

- 13. REPORTS FROM ADVISORY BOARDS AND COMMISSIONS
- 14. OTHER BUSINESS
- **15.NEW BUSINESS**
- 16. CITIZENS' PETITIONS (Pertaining to any Village issue)\*
- 17. TRUSTEE COMMENTS
- 18. CLOSED SESSION- 5 ILCS 120/2(c) (1)/(2)/(3)/(5)/(8)/(11)/(21)
- 19. ADJOURNMENT

\*The opportunity to speak to the Village Board pursuant to the Citizens' Petitions portions of a Village Board meeting agenda is provided for those who wish to comment on an agenda item or Village of Hinsdale issue. The Village Board appreciates hearing from our residents and your thoughts and questions are valued. The Village Board strives to make the best decisions for the Village and public input is very helpful. Please use the podium as the proceedings are videotaped. Please announce your name and address before commenting.

\*\*\*Routine items appearing on the Consent Agenda may include those items that have previously had a First Reading, the Accounts Payable and previously-budgeted items that fall within budgetary limitations and have a total dollar amount of less than \$500,000.

\*\*\*\*Items included on the Non-Consent Agenda due to "emergency nature or time sensitivity" are intended to be critical business items rather than policy or procedural changes. Examples might include a bid that must be awarded prior to a significant price increase or documentation required by another government agency to complete essential infrastructure work.

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to promptly contact Darrell Langlois, ADA Coordinator, at 630-789-7014 or by TDD at 630-789-7022 to allow the Village of Hinsdale to make reasonable accommodations for those persons.

Website http://villageofhinsdale.org

# VILLAGE OF HINSDALE VILLAGE BOARD OF TRUSTEES MINUTES OF THE MEETING August 15, 2017

The regularly scheduled meeting of the Hinsdale Village Board of Trustees was called to order by Village President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, August 15, 2017 at 7:30 p.m., roll call was taken.

Present: President Tom Cauley and Trustees Christopher Elder, Michael Ripani, Luke Stifflear, Gerald J. Hughes (*left the meeting at 9:04 p.m.*), Matt Posthuma and Neale Byrnes

Absent: None

Also Present: Village Manager Kathleen A. Gargano, Assistant Village Manager/Finance Director Darrell Langlois, Assistant Village Manager/Director of Public Safety Brad Bloom, Police Chief Brian King, Fire Chief John Giannelli, Director of Community Development/Building Commissioner Robb McGinnis, Director of Public Services George Peluso, Administration Manager Emily Wagner, Management Analyst Jean Bueche and Village Clerk Christine Bruton

#### PLEDGE OF ALLEGIANCE

President Cauley and Ms. Margaret King led those in attendance in the Pledge of Allegiance

#### APPROVAL OF MINUTES

Following suggested changes to the draft minutes, Trustee Hughes moved to approve the minutes of the Regular Meeting of July 11, 2017, as amended. Trustee Elder seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes

NAYS: None ABSTAIN: None ABSENT: None

Motion carried.

Following suggested changes to the draft minutes, Trustee Elder moved to approve the minutes of the Special Meeting of August 3, 2017, as amended. Trustee Byrnes seconded the motion.

AYES: Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes

NAYS: None ABSTAIN: None ABSENT: None

Motion carried.

#### **CITIZENS' PETITIONS**

None.

#### VILLAGE PRESIDENT'S REPORT

President Cauley reported that downtown paving will begin this evening and be done this week. Following the completion of the Central Business District (CBD), work will then move to outlying areas. So far the project is on time, and staff hopes the work will be done by September. He also congratulated the 12-year old Hinsdale Little League team on a very successful season, and announced they will be recognized at the next Village Board meeting.

#### **SWEARING IN OF NEW POLICE CHIEF**

President Cauley stated Hinsdale's new Police Chief will be sworn in this evening, but wanted to recognize out-going Chief Kevin Simpson, who is moving on to be student safety supervisor at Hinsdale Central. He gave 28 years of outstanding service to the Village of Hinsdale, and was an outstanding chief of police.

Police Chief Brian King served in Wilmette for 30 years, where he started as a patrol officer and rose through the ranks. He was chief in Wilmette for the past eight years. President Cauley outlined his many achievements in his field, and added that he has no doubt Chief King is a perfect fit for Hinsdale. He administered the oath of office.

Chief King addressed the Board stating he is grateful and proud to be the new Police Chief in Hinsdale. He has met with members of the department over the last two weeks and has observed their pride I the organization and their commitment to the community. He thanked his Deputy Chiefs Eric Bernholdt and Tom Lillie and former Chief Kevin Simpson for making this transition go smoothly.

#### **PUBLIC HEARING**

#### 122 W. Walnut Street, certain improvements in a required front yard

President Cauley introduced the item and explained that the Village Board rarely hears these types of matters, but because this case involves the Americans with Disabilities Act (ADA), Village counsel has recommended this course of action. The Zoning Board of Appeals typically hears these matters, but they have code statues that must be followed and would not consider considerations relative to the ADA. President Cauley opened the public hearing and the court reporter swore in the applicants.

Mr. John Lagedrost, property owner at 122 W. Walnut Street, addressed the Board stating he and his wife are requesting approval to replace their patio. He explained they purchased this home i 2009 because it is well-suited for their daughter, Joanna, who has limited use of her limbs. They are removing and replacing the existing patio, which they thought was a side yard, but is a zoning front yard. The purpose is an exit ramp from the back door to meet Joanna's needs, the addition of a fire feature, and a pathway for her to exit. It will be fully landscaped. He believes this will result in a significant enhancement compared to the current patio.

Village Board of Trustees Meeting of August 15, 2017 Page 3 of 10

Mr. James Laslo, the contractor for the homeowner, was present to answer technical questions, and added they were not aware this was considered a front yard, but requested approval to complete the project.

Mr. McGinnis explained that paver patios were formerly considered landscaping, but no longer, and the grandfathered patios can be maintained, but not removed and replaced. He added that this request, if granted, would be a right for this owner only. If any additional degree of encroachment was requested, it would come back to the Village Board. Mr. Laslo explained the proposed patio would be constructed of clay pavers with flagstone edges.

**Mr. Michael Moran, 130 N. Grant**, addressed the Board stating he is the next door neighbor to this project and the only neighbor affected. He thinks this is an enhancement, and urged the Board to approve the request.

Ms. Susanne Cooper, 123 N. Grant, addressed the Board and spoke in support of the project.

Trustee Elder moved to close the Public Hearing for 122 W. Walnut Street. Trustee Stifflear seconded the motion.

AYES: Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes

NAYS: None ABSTAIN: None ABSENT: None

Motion carried.

President Cauley reiterated that approval of this request is not subject to Zoning Board standards for approval; ADA allows for reasonable accommodations. Further, there is no precedent set by approval of this matter; cases like this would be heard on a case by case basis. He polled the Trustees, no objections were raised.

Trustee Byrnes moved to direct staff to draft an Ordinance authorizing a 22.2' encroachment into a required front yard and 3.5' encroachment into a required interior side yard for the construction of a patio, BBQ grill, fire feature, and seat wall at 122 W. Walnut under the 'reasonable accommodations' provision of the Fair Housing Act and the Americans with Disabilities Act. Trustee Elder seconded the motion.

AYES: Trustees Elder, Ripani, Stifflear, Hughes, Posthuma and Byrnes

NAYS: None ABSTAIN: None ABSENT: None

Motion carried.

#### **FIRST READINGS - INTRODUCTION**

# **Administration & Community Affairs (Chair Hughes)**

a) Accept and Place on File the Post-Issuance Tax Compliance Report

Trustee Hughes introduced this item stating it is an annual housekeeping item necessary to keep the Village's tax exempt status.

The Board agreed to move this item to the Consent agenda of their next meeting.

b) Approve paid time off in the amount of 37.5 hours per fiscal year for permanent parttime employees who annually work at least 21 hours per week and have been employed with the Village of Hinsdale for at least one year

Trustee Hughes introduced this item which is a recommendation from staff in response to recent hiring and recruiting issues. Staff believes this benefit would make it easier to attract quality personnel. He feels this is a modest step the Village can take, with a modest hard cost. He noted this vacation time cannot be banked or rolled over; and staff will cover any absence without additional cost as they currently do. President Cauley noted it is expensive to have full-time employees because of pension and insurance costs.

The Board agreed to move this item to the Consent agenda of their next meeting.

#### **Environment & Public Services (Chair Byrnes)**

c) Approve a Resolution approving the 2017 Accelerated Resurfacing construction contract Change Order #1, to reduce the contract value by an amount not to exceed \$19,033 to ALamp Concrete Contractors

Trustee Byrnes introduced the item which is a change order that results in a reduction of the money due to the contractor. Although there were unanticipated costs, such as the sink hole on Stough, the overall repair on the project was less than anticipated, resulting in an aggregate savings of \$19,000.

The Board agreed to move this item to the Consent agenda of their next meeting.

### Zoning & Public Safety (Chair Stifflear)

d) Approve an Ordinance Approving a Lot Size Variation for Property Located at 435 Woodside Avenue, Hinsdale, Illinois – Matt Bousquette/Kris & Tracy Parker – Case Number V-04-17

President Cauley introduced the item and noted that Board has either seen the Zoning Board of Appeals meeting or read the transcript, and hopes people will keep this in mind when making their remarks.

Mr. Kris Parker, 444 E. Fourth Street, addressed the Board, stating it has been a dream of his to have a home like this, and asked the Board to help him save the house. He explained they are asking that a 50,000' square foot lot be divided into two lots; one at 30,000' square feet and one at 20,000' square feet. He noted this would result in the second largest lot on Woodside, and both lots would be larger than 62% of the lots in the R1 district. Additionally, he noted the square footage of the homes in the area, and that the Zook house is considerably smaller than the others. He also believes the argument of precedence is meaningless, because this matter is relative to the Zook home only and its historic significance. Mr. Parker confirmed they will pursue landmark status to ensure the safety of this property for generations to come. He believes the 4,100' square foot Zook home needs to be on a smaller lot for mortgage and tax considerations. He hopes the Board will accept the unanimous recommendation of the Zoning Board of Appeals.

Mr. Matt Bousquette, property owner, addressed the Board and asked that they approve the ZBA recommendation; he met all the approving criteria before that Board including unique physical condition, not self-created, denial of a substantial right, etc. He provided background information stating in 2008 he purchased the property at 445 Woodside. The house on this property had already been demolished; he has not built on the lot. He noted that since that time all but one of the homes on Woodside has been either knocked down or

expanded to the maximum lot coverage. He illustrated the other homes on the block in terms of size of lot and square footage of home. The Zook home would be consistent with the other homes on block. Mr. Bousquette noted he is the neighbor on two sides of the proposed property, and is invested in the outcome of this matter. He is skeptical that he could sell the lot in its entirety and someone would redevelop the home as is. He described the real estate market for homes in the \$2-\$3 million range; noting that older houses take longer to sell and have sold below list price and land value. He stated he has had offers of \$3 million to buy the land and scrape it.

Trustee Byrnes referenced the existing foundation issues and wondered if the home is moveable. Mr. Dennis Parsons, architect, responded stating it is movable, although cannot be cut in pieces because it is solid masonry, however, the movers are confident it can be moved successfully.

**Mr. Kevin Holmes, 425 Woodside**, addressed the Board stating he is representing the other neighbors on Woodside who are all opposed to the subdividing of this lot. He believes there is value in adhering to the zoning code. He personally did not expect to have a neighbor so close to them when they bought their property. He stated the applicant fails the no other remedy criteria, because he did not try to sell the house and lot as is. He believes the owner could landmark and renovate the existing house.

President Cauley pointed out the Board cannot force the homeowner to do anything besides the two options offered by Mr. Bousquette. Mr. Holmes argued approval would set precedent, it will add to the density, and large trees will be removed. President Cauley asked if a large maxed out house on the lot would be worse. Mr. Holmes said it would, however, the neighbors are willing to make a bona fide offer on the property starting at \$2.2 million.

**Mr. Tom Reedy, 424 Woodside**, addressed the Board stating he did not originally get involved in this matter, but described his previous experience with preserving a lot in Hinsdale. However, he is concerned because Mr. Bousquette has not marketed the home and property as is. He asked the Board to keep in mind the 'size' of the variance being granted and that nine of the neighbors don't support the variance

Mr. Andrew Brickman, 439 E. Sixth, believes there would be a ripple effect of splitting lots, but President Cauley disagreed stating this is only a consideration because of the Zook house, and therefore has no precedential value. Mr. Brickman continued stating Zook houses with modernization have survived, but just moving it might not contribute to its long term survival. He noted that landmark status can be changed. In his opinion, in order for the house to have staying power, it has to be able to be added on to. President Cauley remarked that the house can be positioned on the lot to allow kitchen expansion, and to allow for some modernization. Mr. Brickman feels the house is a pawn in this case.

President Cauley asked Mr. Bousquette if he would entertain an offer to purchase the property. Discussion followed regarding the financial aspects of the problem. President Cauley pressed the money offer. Mr. Holmes said he and his neighbors could come up with an offer within two weeks. Mr. Bousquette said he would look at the offer.

Trustee Hughes left the meeting at 9:04 p.m.

President Cauley agrees this is a big variance, and agrees that the lot sizes are special in the R1 district. Further, the Zook home makes this issue special, and the only reason this Village Board of Trustees Meeting of August 15, 2017 Page 6 of 10

matter is before the Board. As such, the Board has developed certain conditions that would need to be met if the variance is granted: 1) a 12 month conditional approval based on the successful relocation of the building, inspection and code compliance, 2) the home be situated on the south lot in such a manner as to allow permitted additions on two sides of the property, 3) 3,000' square feet conveyed to the smaller lot, 4) a 100 year restrictive covenant forbidding the demolition of the home, and 5) application for landmark status six months after relocation.

Trustee Stifflear wondered if there was a deed restriction on the property would the neighbors reconsider their position, as that would be a guarantee there would not be a 'McMansion' built on the property. He also pointed out if there is a bona fide offer, the no other remedy criteria isn't met. Mr. Parker added they have no problem with a 100 year deed restriction.

The Board agreed to move this forward for a second reading at their next meeting.

#### **CONSENT AGENDA**

#### **Administration & Community Affairs (Chair Hughes)**

a) Trustee Stifflear moved Approval and payment of the accounts payable for the period of July 18, 2017, through August 15, 2017, in the aggregate amount of \$3,014,516.31 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk. Trustee Elder seconded the motion.

AYES: Trustees Elder, Ripani, Stifflear, Posthuma and Byrnes

NAYS: None ABSTAIN: None

**ABSENT:** Trustee Hughes

Motion carried.

The following items were approved by omnibus vote:

b) Approve an Ordinance Authorizing Transfers of Appropriations within Departments and Agencies of the Village for the Fiscal Year May 1, 2016 to April 30, 2017 (First Reading – July, 11, 2017)

## **Environment & Public Services (Chair Byrnes)**

- c) Award Bid #1632 for various Roof Replacements and Improvements at various Village facilities to Olsson Roofing in an amount not to exceed \$318,416.36 (First Reading July 11, 2017)
- d) Award year one of Bid #1635 for Street Sweeping Services to Lake Shore Recycling Systems in the year one amount of #36,500, with approval to utilize the fully budgeted amount of \$47,660
- e) Award the replacement of Forestry Chipper Truck Unit #16 to Utility One Source in the amount not to exceed \$87,591

Village Board of Trustees Meeting of August 15, 2017 Page 7 of 10

- f) Waive the competitive bidding requirement and utilize the State of Illinois Joint Purchasing Agreement with Rush Truck Centers of Illinois to approve the purchase of a 2018 35,000 G.V.W.R. dump truck, snow plow and salt spreader with pre-wetting system in an amount not to exceed \$159,052
- g) Award the bid the 50/50 Sidewalk Program, Section 17-00000-01-GM, to Strada Construction in the amount not to exceed \$73,836

Trustee Stifflear moved to approve the Consent Agenda, as presented. Trustee Elder seconded the motion.

AYES: Trustees Elder, Ripani, Stifflear, Posthuma and Byrnes

NAYS: None ABSTAIN: None

**ABSENT:** Trustee Hughes

Motion carried.

#### SECOND READINGS / NON-CONSENT AGENDA - ADOPTION

#### **Environment & Public Services (Chair Byrnes)**

a) Approval of the Village's commitment to reimburse School District 181 for the Village's cost share associated with construction of the new shared parking deck at Hinsdale Middle School located at 100 S. Garfield Street, Hinsdale (First Reading – July 11, 2017); and Approve a Change Order for the cost of the tie back system President Cauley noted a memo from Village Manager Gargano regarding costs related to the deck, specifically a tie-back system and expenses to the Village in the amount of \$1,049,723.25. The school district approved the foundation work previously, and the tie back at the most recent meeting. Mr. Bloom confirmed these numbers are in accordance with the estimate from last week.

Trustee Byrnes moved Approval of the Village's commitment to reimburse School District 181 for the Village's cost share associated with construction of the new shared parking deck at Hinsdale Middle School located at 100 S. Garfield Street, Hinsdale; and to Approve a Change Order for the cost of the tie back system. Trustee Elder seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Posthuma and Byrnes

NAYS: None ABSTAIN: None

**ABSENT:** Trustee Hughes

Motion carried.

## **Zoning & Public Safety (Chair Stifflear)**

b) Approve an Ordinance Approving an Amendment to a Special Use Permit to Change Hours of Operation at a Physical Fitness Facility in the B-3 General Business Zoning District at 230 E. Ogden Avenue (First Reading – July 11, 2017)

Village Board of Trustees Meeting of August 15, 2017 Page 8 of 10

Trustee Stifflear introduced the item, which is a request from Shred450 to change their start time from 6:00 a.m. to 5:00 a.m. This was unanimously approved by the Plan Commission. The ordinance before the Board this evening was changed to reflect the Board recommendation that if any complaints are received, this matter can be revisited, and can be amended.

Trustee Stifflear moved to Approve an Ordinance Approving an Amendment to a Special Use Permit to Change Hours of Operation at a Physical Fitness Facility in the B-3 General Business Zoning District at 230 E. Ogden Avenue. Trustee Elder seconded the motion.

AYES: Trustees Elder, Ripani, Stifflear, Posthuma and Byrnes

NAYS: None ABSTAIN: None

**ABSENT:** Trustee Hughes

Motion carried.

c) Approve an Ordinance Approving a Site Plan and Exterior Appearance Plan for a New Animal Hospital at 722-724 N. York Road, Hinsdale, Illinois – Hinsdale Animal Hospital – Case Number A-40-2016 (First Reading – July 11, 2017)

Trustee Stifflear introduced the item remarking on the many meetings over the past year where this item was reviewed; the Plan Commission, the Zoning Board of Appeals and the Village Board. The site plan and exterior appearance plan were unanimously approved at the June Plan Commission meeting. He added there were no questions regarding the lighting.

Trustee Stifflear moved to Approve an Ordinance Approving a Site Plan and Exterior Appearance Plan for a New Animal Hospital at 722-724 N. York Road, Hinsdale, Illinois – Hinsdale Animal Hospital – Case Number A-40-2016. Trustee Byrnes seconded the motion.

**AYES:** Trustees Elder, Ripani, Stifflear, Posthuma and Byrnes

NAYS: None ABSTAIN: None

**ABSENT:** Trustee Hughes

Motion carried.

#### **DISCUSSION ITEMS**

#### a) Downtown Construction update

President Cauley noted this should be completed this week.

#### b) Update on proposed I-294 Tollway expansion

President Cauley explained this matter is currently in a holding pattern, no new information has been forthcoming.

#### **DEPARTMENT AND STAFF REPORTS**

- a) Treasurer's Report
- b) Police
- c) Fire

None.

- d) Parks & Recreation
- e) Economic Development
- f) Community Development
- g) Engineering
- h) Public Services

The report(s) listed above were provided to the Board. There were no additional questions regarding the contents of the department and staff reports.

Village Manager Gargano reported regarding a Special Service Area (SSA) for the difference between the cost of the larger deck and the smaller deck, to be assessed to the merchants in the business district as they will most likely be the beneficiaries of the larger lot. Ms. Gargano described the approving mechanism for an SSA. The first step is to adopt an ordinance proposing the SSA. Within 60 days following the approval, public notice must be provided and a public hearing held, then there is a 60 day waiting period for objections. Due to the 120 days necessary to meet these requirements, this cannot be included in this year's tax levy filed in December. Before coming to the Board with an approving ordinance, staff will identify the taxing area as narrowly as possible and determine who will be impacted. Assistant Village Manager/Finance Director Darrell Langlois explained that an objection raised must be greater than 51% of registered voters and property taxpayers in that area. It was noted that a typical retail lease allows for pass through taxes.

#### REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

No reports.	
	OTHER BUSINESS
None.	
	NEW BUSINESS
None.	
	CITIZENS' PETITIONS
None.	
	TRUSTEE COMMENTS

#### **ADJOURNMENT**

There being no further business before the Board, President Cauley asked for a motion to adjourn. Trustee Elder moved to adjourn the regularly scheduled meeting of the Hinsdale Village Board of Trustees of August 15, 2017. Trustee Stifflear seconded the motion.

AYES: Trustees Elder, Ripani, Stifflear, Posthuma and Byrnes NAYS: None ABSTAIN: None ABSENT: Trustee Hughes
Motion carried.
Meeting adjourned at 9:29 p.m.
ATTEST: Christine M. Bruton, Village Clerk



## **PROCLAMATION**

# Recognizing the Outstanding Season of Little League Team 12U All Stars

WHEREAS.

Hinsdale Little League is committed to being a preeminent educational-athletic organization by encouraging participation, developing character and discipline, promoting teamwork and advocating community pride; and

WHEREAS.

the 2017 Hinsdale Little League 12U All Stars, was managed by Anthony Waelter and coached by Jeff Kolke and Rick Eck, who in the spirit of these ideals conducted daily practices each morning for two hours and held batting practices each evening for one hour beginning on June 25<sup>th</sup>; and

WHEREAS,

whose members Charlie Bergin, Joe Boggs, Grant Davis, Emerson Eck, Reece Kolke, Jakobi Lange, Max Merlo, Ben Oosterbann, Evan Phillips, Lucas Smith, Andres Waelter and Max Williams did commit to their team and practice to improve their skills; and

WHEREAS,

as a result of their hard work they were crowned District Champions, Section 2 Champions and Illinois State Champions. They were runner-up for the Great Lakes Regional Championship and ended their season with a record of 12 wins and 1 loss; and

WHEREAS.

this team exemplifies the spirit of Little League everywhere of Sport, Family and Community.

NOW, THEREFORE, BE IT RESOLVED, that I, Tom Cauley, Village President, on behalf of the residents of the Village of Hinsdale, issue this Proclamation in appreciation of this Little League team and their coaches, and urge the citizens of our community to support Little League teams everywhere and thereby foster good sportsmanship in the young men and women of Hinsdale.

Proclaimed this 5th day of September, 2017.

Tom Cauley, Village President



Community Development

AGENDA SECTION: First Reading – ZPS

Special Use Permit Application for a Fitness Studio in the B-1

SUBJECT: Community Business District

Plate28 – 5819 S. Madison Street – Case A-23-2017

MEETING DATE: September 5, 2017

FROM: Chan Yu, Village Planner

#### **Recommended Motion**

Approve an Ordinance approving a Special Use Permit to operate a physical fitness facility in the B-1 Community Business Zoning District at 5819 S. Madison Street.

#### Background

Plate 28 is requesting a Special Use permit to occupy a 1,400 square foot space to operate a physical fitness studio. The fitness studio offers a maximum of 8 proprietary "Power Plate" machines. To that end, the maximum patrons in a class are 8 at a time, in addition to 1 to 2 employees. The class duration is 28 minutes long. The business goal is to offer 16 classes per day in the first year, and 24 classes per day after the first year. The proposed hours of operation are 5 AM to 8 PM.

Per the Code, physical fitness facilities are required a parking space for each 3 persons of design capacity. As such, the parking spaces needed for Plate 28 is 4. For comparison, a retail store or restaurant requires 1 parking space per 200 SF of net floor area, which is 7 parking spaces. Per the applicant, the shopping center has 36 designated parking spaces for the building tenants.

The shopping center is located in the B-1 Community Business District, and is surrounded by the R-5 Multiple Family Residential District to the north and south, R-6 Multiple Family Residential District to the east, and unincorporated residential to the west. However, the 5819 S. Madison Street tenant space is in the center of the shopping center, and immediately surrounded by commercial spaces. The tenants of the center include a food mart, nail salon, dry cleaner and catering company.

#### **Discussion & Recommendation**

On August 9, 2017, the Plan Commission unanimously recommended approval, 7-0 (2 absent), for the Special Use Permit, as submitted. There were no neighbors present for commenting at the public hearing.

# Village Board and/or Committee Action

N/A

#### **Documents Attached**

**Draft Ordinance** 





- 1. Special Use Permit, Plan Commission Application and Exhibits
- 2. August 9, 2017, Plan Commission Public Hearing Transcript
- 3. Draft Findings and Recommendations (PC August 9, 2017, meeting)
- 4. Zoning Map and Location of 5819 S. Madison Street
- 5. Birds Eye View of 5819 S. Madison Street

#### VILLAGE OF HINSDALE

ORDINANCE	NO.	

# AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO OPERATE A PHYSICAL FITNESS FACILITY IN THE B-1 COMMUNITY BUSINESS ZONING DISTRICT AT 5819 S. MADISON STREET

**WHEREAS**, an application (the "Application") seeking a special use permit to operate a physical fitness facility at 5819 S. Madison Street, Hinsdale, Illinois (the "Subject Property"), in the B-1 Community Business Zoning District, was filed by Petitioner Plate28, L.L.C. (the "Applicant") with the Village of Hinsdale; and

WHEREAS, physical fitness facilities are permitted as special uses in the B-1 Community Business Zoning District pursuant to Section 5-105(c)(11) of the Hinsdale Zoning Code ("Zoning Code"); and

**WHEREAS**, the Subject Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, the Application has been referred to the Plan Commission of the Village and has been processed in accordance with the Zoning Code, as amended; and

WHEREAS, on August 9, 2017, the Plan Commission held a public hearing on the application pursuant to notice thereof properly published in *The Hinsdalean* on July 20, 2017, in accordance with Illinois law, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application by a vote of seven (7) in favor, zero (0) against and two (2) absent, all as set forth in the Plan Commission's Findings and Recommendation for Plan Commission Case No. A-23-2017 ("Findings and Recommendation"), a copy of which is attached hereto as **Exhibit B** and made a part hereof; and

WHEREAS, the President and Board of Trustees of the Village have duly considered the Findings and Recommendation of the Plan Commission, and all of the materials, facts and circumstances affecting the Application, and find that the Application satisfies the standards set forth in Section 11-602 of the Zoning Code relating to special use permits.

**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:

- <u>Section 1</u>: <u>Incorporation</u>. The foregoing recitals are incorporated into this Section 1 by reference as findings of the President and Board of Trustees;
- <u>Section 2</u>: Adoption of Findings and Recommendation. The President and Board of Trustees of the Village of Hinsdale approve and adopt the findings and recommendation of the Plan Commission, a copy of which is attached hereto as <u>Exhibit B</u> and made a part hereof, and incorporate such findings and recommendation herein by reference as if fully set forth herein.
- <u>Section 3</u>: Approval of Special Use for a Physical Fitness Facility. The President and Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and the Zoning Code, hereby approves a special use permit for a Physical Fitness Facility in the B-1 Community Business Zoning District on the Subject Property located at 5819 S. Madison Street, Hinsdale, Illinois, legally described in **Exhibit A**.
- <u>Section 4</u>: <u>Violation of Condition or Code</u>. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.
- <u>Section 5</u>: <u>Severability and Repeal of Inconsistent Ordinances</u>. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.
- <u>Section 5</u>: <u>Effective Date</u>. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

PASSED this day of			
AYES:			
ABSENT:			
APPROVED by me this the Village Clerk this same day.	_day of	, 2017, and attested	to by
	Thomas K. Cauley, Jr.	, Village President	
ATTEST:			
Christine M. Bruton, Village Clerk			
ACKNOWLEDGEMENT AND CONDITIONS OF THIS ORDINA		THE APPLICANT TO	THE
Ву:			
Its:	-		
Date:,	2017		

#### **EXHIBIT A**

THE SOUTH 150.00 FEET OF THE WEST 150.00 FEET OF LOT 5 IN BLOCK 6 IN BRANIGAR BROS. HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST ¼ AND OF THE NORTHWEST ¼ (EXCEPT THE EAST ½ OF THE NORTHWEST ¼ OF SAID NORTHWEST ¼) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NUMBER 141390, IN DUPAGE COUNTY, ILLINOIS.

PINS: 09-13-103-024-0000

COMMONLY KNOWN AS: 5819 S. MADISON STREET, HINSDALE,

**ILLINOIS** 

# **EXHIBIT B**

# FINDINGS AND RECOMMENDATION (ATTACHED)



# VILLAGE OF HINSDALE COMMUNITY DEVELOPMENT DEPARTMENT

# VILLAGE OF HINSDALE FOR NDED IN 1573

# PLAN COMMISSION APPLICATION

## I. GENERAL INFORMATION

Applicant	Owner
Name: Plate 28, LLC	Name: Kelly Milne and Katie Mueller
Address: 5799 S Grant Street	Address: 5805 S. Grant Street
City/Zip: Hinsdale, IL 60521	City/Zip: Hinsdale, IL 60521
Phone/Fax: () 312.405 /8341	Phone/Fax: ( ) 914.629. /5685
E-Mail: katiemueller3@yahoo.com	E-Mail: milne.kelly@gmail.com
Others, if any, involved in the project (i.e. A	rchitect, Attorney, Engineer)
Name: Bill Mueller	Name: Germaine Mulhern
Title: Attorney	Title: CPA
Address: 404 N. Hershey Road	Address: 15 Salt Creek Lane, Ste. 200
City/Zip: Bloomington, IL 60521	City/Zip: Hinsdale, IL 60521
Phone/Fax: () 309.827 /4055	Phone/Fax: () 630.850 /7509
E-Mail: bill@mrh-law.com	E-Mail: germaine@mulherncpa.com
Disclosure of Village Personnel: (List the name of the Village with an interest in the owner of record, tapplication, and the nature and extent of that interest)	e, address and Village position of any officer or employee the Applicant or the property that is the subject of this
1) None	
2)	
3)	

#### II. SITE INFORMATION

■ Special Use Permit 11-602E Special Use Requested: Fitness Studio

(7991)

Address of subject property: 5819 S Madison Street, Hinso	dale, IL 60521
Property identification number (P.I.N. or tax number)	):
Brief description of proposed project: Plate 28, a small be	outique fitness studio servicing 6-8
patrons at a time is applying for a special use permit in the B-1 Busin	iness Zoning District.
General description or characteristics of the site: The	present building is a B-1 property and meets
all requirements for a special use zoning permit. There are 36 design	nated parking spaces for the
building tenants.	
Existing zoning and land use: B-1	
Surrounding zoning and existing land uses:	
North: R-5 and O-1	South: R-6
East: Unincorporated Hinsdale	West: R-5
Proposed zoning and land use: B-1 w/ special use permit	
Please mark the approval(s) you are seeking and standards for each approval requested:	attach all applicable applications and
☐ Site Plan Approval 11-604	☐ Map and Text Amendments 11-601E
☐ Design Review Permit 11-605E	Amendment Requested:
☐ Exterior Appearance 11-606E	

☐ Planned Development 11-603E

District Questionnaire

☐ Development in the B-2 Central Business

#### CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
  - B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
    - Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
    - 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
    - 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
    - Location, size, and arrangement of all outdoor signs and lighting.
    - Location and height of fences or screen plantings and the type or kink of building materials or plantings used for fencing or screening.
    - A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
    - 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
  - E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
  - F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE APPLICATION FEE. BY SIGNING THE APPLICATION, THE OWNER HAS AGREED TO PAY SAID FEE, AND TO CONSENT TO THE FILING AND FORECLOSURE OF A LIEN AGAINST SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 15 m, day of June . 2017	t, I/We have read the above certification, understand it, and agree
to abide by its conditions.	1
Killer Miles	Kate Mueller
Signature of applicant or authorized agent	Signature of applicant or authorized agent
Kell Milne Name of applicant or authorized agent	Name of applicant or authorized agent

SUBSCRIBED AND SWORN to before me this 1512 day o

Brundy Jarrett
Notary Public

"OFFICIAL SEAL"
BRANDON E. GARRETT
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 03/01/2020



# COMMUNITY DEVELOPMENT DEPARTMENT SPECIAL USE PERMIT CRITERIA

# VILLAGE OF HINSDALE

Must be accompanied by completed Plan Commission Application

5819 S. Madison Street, Hinsdale, IL 60521

Proposed Special Use request: Plate 28Personal training and group fitness studio		
Toposed openia oscieduosi.		
Is this a Special Use for a Planned Development? No Yes (If so this submittal also requires a <u>completed</u> Planned Development Application)		
REVIEW CRITERIA		
Section 11-602 of the Hinsdale Zoning Code regulates Special use permits. Standard for Special Use Permits: In determining whether a proposed special use permit should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Plan Commission and Board of Trustees should weigh, among other factors, the below criteria Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.		

 Code and Plan Purposes. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established.

FEES for a Special Use Permit: \$1,225 (must be submitted with application)

Yes. We will adhere to the requirements of Sec. 5-101. Our business will provide a 1,400 sq. ft. boutique physical fitness studio with group fitness classes and a retail component to the Hinsdale community. It will be small in size with 1-2 employees at a time, 1 bathroom, no locker rooms or showers. The business will compliment current neighboring businesses. Our business plan includes a maximum of 8 patrons per class and 10 to 20 class per day depending on demand.

No Undue Adverse Impact. The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

Yes. As Hinsdale residents with children residing at D181 schools we believe our business will enhance the community. There will be no adverse effects upon the adjacent property, the character of the area or the public health.

 No Interference with Surrounding Development. The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations

Yes. We are a small fitness studio catering to 6-8 clients at a time. Our proposed hours of operation are 5a.m. to 8p.m. There is Hidden Lakes apartment building at 301 West 59th Street zoned as a R-5 building. The back of the proposed property faces the back of the apartment building. The proposed business will not interfere with the neighboring residential property.

4. Adequate Public Facilities. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

Yes. The property is adequately served by public facilities.

- 5. No Traffic Congestion. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Yes. The proposed business will provide service to a maximum of 8 people at a time. There is ample allocated parking and a primary thoroughfare that does not run through a residential community. The property is removed from busy downtown streets. The proposed business will not add traffic, parking or any undesireable aspects to the area different than those uses that are allowed under the zoning classification without a Special Use Permit.
- No Destruction of Significant Features. The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Yes. There will be no exterior changes or damage to existing natural, scenic or historic features.

7. Compliance with Standards. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

Yes. According the the Village of Hinsdale business district code Sec. 5-102 Permitted Uses; a physical fitness facility (7991) is allowed in the proposed B1 location with the approval of a Special Use Permit. The designated parking lot adheres to the zoning code which states there must be 1 parking space for every 3 patrons using the business.

 Special standards for specified special uses. When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district.

Plate 28 agrees to meet any special standards for the district which could be imposed for this special use.

Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission shall consider the following:

Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

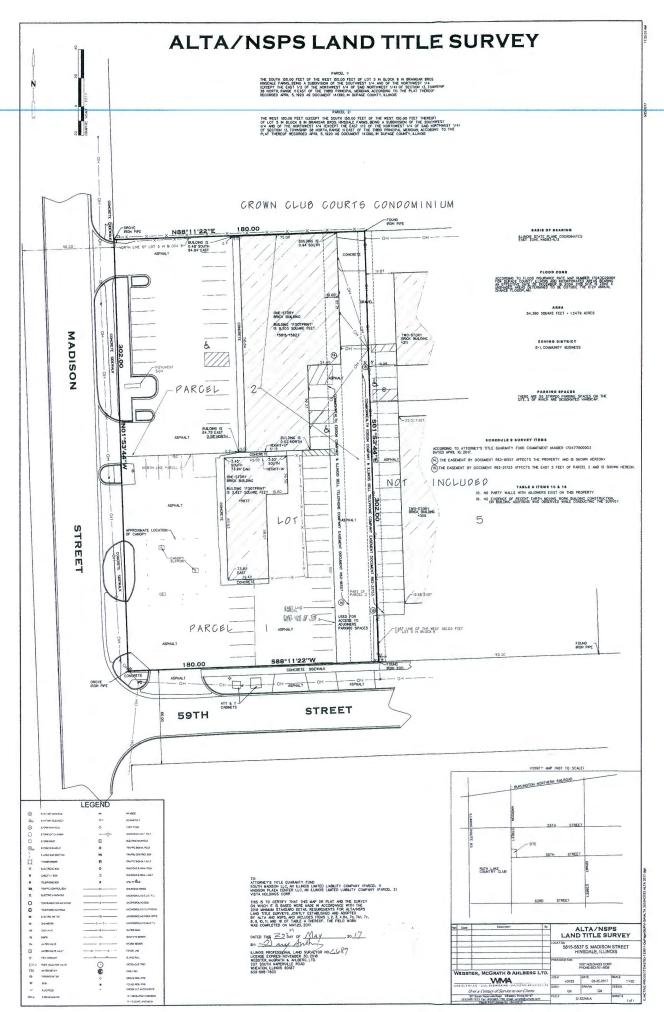
The proposed business entity is a small boutique fitness studio which will provide the community with efficient daily group exercise classes using whole body vibration training. This is a unique business model that provides a quick efficient 28-minute workout. It will be the first studio of this kind in the Midwest. The services provided will enhance the public health and general welfare of Hinsdale. Our classes will be conducted using a Power Plate. A Power Plate is a medical device used as exercise equipment. It consists of a vibrating base which vibrates up and down 1 to 2 milimeters, 25 to 50 times per second. All exercises that can be conducted on the floor can be done on this machine.

Alternate locations. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

The proposed site is zoned as a designated B1 area which allows for a first floor physical fitness studio with a Special Use Permit. The close proximity and easy access from the parking lot to front door compliments our business plan to service community residents. As an affuent, active community, patrons will satisfy their most basic wellness needs at this location. The Hinsdale community as a whole would benefit from an efficient workout in close proximity to all the other amenities Hinsdale has to offer.

Mitigation of adverse impacts. Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

We will not be changing the building structure design or landscape from the previous business which occupied this space. Our plan does include interior updates.







0

Accelerates and maximizes results

MA

PrecisionWave Technology™



Patented multidirectional vibration



Helps boost recovery time

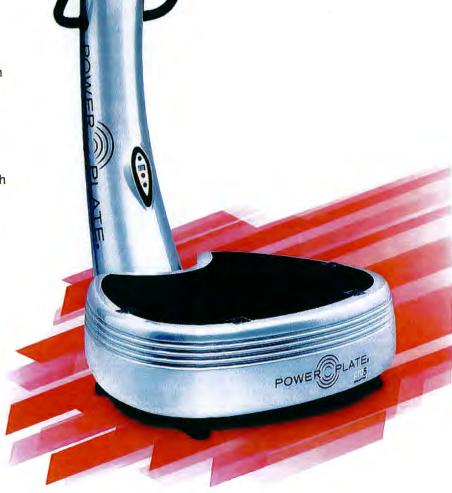


A complete workout in only 15 minutes

#### **Advanced Fitness Level.**

This is the culmination of decades of research and development in the field of whole body vibration training. The Power Plate® pro5™ brings the latest technology together to provide a wide range of frequency and time settings. By letting you increase vibration levels incrementally, it can take you as far as you want to go with your fitness goals while letting you move at your own pace. The large plate surface provides vibration to more parts of your body. More plate surface also means more exercise options. This model is ideal as a home health solution and it's also a proven success in commericial settings for wellness, beauty, fitness, active aging, sports performance, medicine, or rehabilitation.

Welcome to future of your workout.





powerplate.com Attachment 1



## Power Plate<sup>®</sup> pro5<sup>™</sup> Features

71-PR5-3100 71-PR5-3200

Color (Standard)

Dimensions (W x D x H)

Platform Dimensions (W x D)

Weight

**Power Supply** 

Nominal Power in Operation

Maximum Load

Operation

DualSync™Twin Motor System

Precision Wave™ Technology

Frequency/ Pre-set Frequencies

Time Selections

Amplitude / Vibration Setting

Certifications

Warranty

Key Features

Silver or Black

34in x 43in x 61in / 87cm x 109cm x 155cm

34in x 37in / 87cm x 93cm

328lb / 149kg

90-240 VAC, 50/60Hz, Universal Voltage

200-225W

400lb / 182kg

User-friendly interactive display with Stage 2 accrediation from the Inclusive Fitness

Initiative (IFI)

DualSync Twin Motor System maintains precise balance at any frequency and amplitude level, allowing perfect synchronisation of vibration for maximum muscle

response and efficiency

High-fidelity harmonic vibration system that provides uncompromising performance

for unsurpassed results

25-50Hz / 30, 35, 40, and 50 Hz

30, 45, or 60 seconds / up to 9 minutes

Low or High

CE and EMC; RoHS / WEEE compliant CB, NRTL, C-NRTL, PSE MDD certified FDA

listed as Class 1 device, 501k exempt

3 years hardware / 1 year electronics / 1 year labor

Secondary timer and controls



Push-Up



Squat w/Static Strap



Calf Stretch



Performance Health Systems LLC 401 Huehl Rd., Suite 2A Northbrook, IL 60062 (877) 877-5283 info@powerplate.com powerplate.com Attachment 1

#### s with Power Plate®

ing platform that helps you form better, and recover u feel better by stimulating sing muscle activation, and Power Plate enhances any complex, typically performed

builds explosive power

tion, coordination,

s blood flow to strengthen

enhances metabolism.

ance of cellulite for smoother,

Attachnones, benefiting skin

ery of damaged muscles and ain, and improves joint function.





A professional model with a large plate surface and multiple settings for greater training versitility Description

30, 35, or 40 Hz pre-settings One-step increments possible **Vibration** High / Low verticle displacement

34in x 42in x 61in / 87cm x 107cm x156cm **Dimensions** 

330lb / 150kg Weight

2 upper body straps, 1 countoured mat **Accessories** 

Special application patented Motor DualSync Twin Motor System

Secondary timer and controls **Key Features** 



Description

A professional model with a larger plate surface featuring an integrated touch screen and heart rate monitor with embedded multidirectional cables, range of motion tracking, and real-time variable resistance display

Vibration **Dimensions**  0 - 8 (with 27 sublevels of intensity)

38in x 46in x 60in / 96cm x 116cm x 152cm

Weight

434 lb / 197 kg

**Accessories** 

2 Upper body straps, 1 contoured mat

Motor

Special application patented DualSync Twin Motor System

**Key Features** 

Three tension adjustment proMotion embedded cable system, modular attachment option, interactive touch screen display

iember, every visit. As movement preparation, it warms muscles to prevent injury. Integrated within tivating a larger percentage of muscle fibers and er Plate for recovery and massage to decrease pain

#### repare





Ne Leg Balance

Single Leg RDL

#### 'erform





e Row with Dumbbell



Bicep Hold with Straps

#### lecover

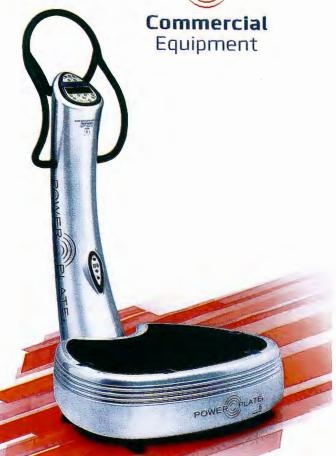




iate device/logo pro5, pro5HP, pro6+, pro7, pro7HC, DualSync and proMOTION, iemarks and or trademarks of Performance Health Systems and/or their affiliates.

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Description

A professional model with a larger plate surface featuring a touch screen monitor and proMOTION embedded cable system

**Vibration** 

8-0

**Dimensions** 

38in x 46in x 60in/ 96 cm x 116 cm x 152 cm

Weight

402.4 lb / 182.5 kg

Accessories

2 Upper body straps, 1 contoured mat

Motor

Special application patented DualSync Twin Motor System

**Key Features** 

Three tension adjustment proMotion embedded cable system, modular attachment option, interactive touch screen display

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

BEFORE THE HINSDALE PLAN COMMISSION

In the Matter of:

)
PLATE 28, 5819 S. Madison
Special Use Permit
Case No. A-23-2017.

REPORT OF PROCEEDINGS had and testimony taken at the hearing of the above-entitled matter before the Hinsdale Plan Commission, at 19 East Chicago Avenue, Hinsdale, Illinois, on August 9, 2017, at the hour of 7:30 p.m.

#### BOARD MEMBERS PRESENT:

MR. STEPHEN CASHMAN, Chairman;

MS. DEB BRASELTON, Member;

MS. ANNA FIASCONE, Member;

MR. GERALD JABLONSKI, Member;

MR. SCOTT PETERSON, Member;

MR. MARK WILLOBEE, Member; and

MR. JIM KRILLENBERGER, Member.

1	ALSO PRESENT:		4
		1	there was one in California. So we hopped on a
2	MR. CHAN YU, Village Planner;	2	plane and went to California and did every
3	MR. ROBB McGINNIS, Director of	3	workout they had and it was a great program and
	Community Development;	4	we just thought it would be super successful in
4	MD MICHAEL MADDS Village Attorneys	5	Hinsdale.
5	MR. MICHAEL MARRS, Village Attorney;	6	MS. MUELLER: So just to go over a
	MS. KELLY MILNE, Applicant;	7	little bit of what Plate 28 is. We have planned
6	MC MATTE MILET ED Applicant	8	out a fast, efficient workout. So if you think
7	MS. KATIE MUELLER, Applicant.	9	about 28 minutes of intense continuous muscle
		07 46 14PM 10	contractions delivering a greater workout and
8	(WHEREUPON, the oath was	11	greater results at a faster pace. And then you
9	administered en masse.)	12	
		13	Our workout will be equivalent to a
07 43 16PM 10	CHAIRMAN CASHMAN: First is Case	14	more traditional 60 to 90 minute workout and it
11 12	A-23-2017, 5819 South Madison Street, Plate 28, special use permit for 1,400 square foot fitness	15	will be like a nonstop exercise routine that
13	studio.	16	will go on for 28 minutes and the vibration of
14	If you could please introduce	17	the machine will intensify the workout.
15 16	yourselves.  MS. MILNE: We have a presentation.		
17	CHAIRMAN CASHMAN: Good.	18	The whole concept behind Power
18	MS. MUELLER: We have spent so much	19	Plate, which is the machine that we are going to
19 7 44 34PM 20	time on this presentation. Good evening. We are here this is actually our first	07 46 50PM <b>20</b>	have, is this whole body vibration training and
21	presentation as company owners for Plate 28.	21	this training amplifies your natural reflexes
22	And my name is Katie Mueller, this is Kelly	22	inside your body and it forces involuntary
	3		5
1	Milne, and we are copartners and we are here	1	muscle contractions throughout the entire
2	today to present to you for our special use	2	workout. So again, that is why you are doing a
3	permit for Plate 28.	3	lot harder work in a shorter amount of time.
4	Kelly and I moved here five years	4	MS. MILNE: So you can just stand on
5	ago and each have three children in the area and	5	the machine and your muscles are working. We
6	we have been raising our children here and have	6	are going to do more than just stand on it.
7	just in the last year decided that we are ready	7	MS. MUELLER: So the type of classes
8	to get back in the game and get back to work and	8	that we will do we will incorporate strength,
9	have put together this studio. So it is a Power	9	weight training, TRX, stretching and high-
7 45 19PM 10	Plate studio.	07 47 22PM 10	intensity interval training, and then a recovery
11	MS. MILNE: So I found Power Plate	11	massage technique as well.
12	about eight years ago when I was living in	12	Because this whole body vibration
13	London. I started working out in a Power Plate	13	training is something it's not new, but a lot
14	studio and the 28 minute workout was so	14	of people don't know about it. We kind of put
15	efficient and the results were so quick that I	15	together, you know, what the history of it.
16	was like, this is a no-brainer. So I became a	16	It was initially developed for the
17	certified instructor eight years ago and then I	17	cosmonauts, Russian cosmonauts. And after an
18	bought my first Plate.	18	extended stay in space they would have muscle
19	When I moved to Illinois Katie	19	atrophy and bone density loss. So to
00			proactively combat these symptoms, they would
20 24 34PM	would come over and we would start training on		
21	it and that's where Plate 28 was born. We did	21	put the astronauts, the cosmonauts, on the Power
22	research to see if there were any and we found	22	Plate, and it would regenerate the muscle and

Palatin Company	6	T	8
1	the bone loss.	1	nail salon there and we have also attached in
2	It is a certified medical device	2	the packet that we handed out a site plan, which
3	and I have a list of the specific uses that you	3	includes the parking, and you can see what other
4	guys can see up there.	4	companies are there.
5	MS. MILNE: It's in your packets, too.	5	So with that, we have placed up
6	MS. MUELLER: Yes, it's in your	6	this other slide for you to look at the benefits
7	packets.	7	of Power Plate and then we would like to address
8	MS. MILNE: So the studio, Plate 28.	8	any of your concerns or questions.
9	So our whole concept was to be working and	9	MS. MILNE: We have also attached some
07 48 24PM 10	living smarter. So we are giving people time	07 50 44PM 10	press on the Power Plate. So there's some
11	back in their day.	11	articles and this is my favorite about Mark
12	Our class will be a maximum of	12	Wahlberg. So these abs that he had for the
13	eight people, one person per Power Plate. For	13	Calvin Klein ads were from Power Plate. So it
14	the first 6 months to 1 year we are hoping to do	14	does work.
15	16 classes per day. Morning classes will be	15	We also have Natalie Barsalli from
16	from 6 to 10 a.m. and evening from 5 to 8. And	16	Power Plate. She is the national customer
17	then after the first year, we hope to have 24	17	engagement manager of North America so she's
18	classes per day, classes starting at 5 a.m. to	18	here to answer any questions for you on Plate
19	12 p.m. and then 4:00 p.m. to 8:00 p.m.	19	itself.
07 48 58PM <b>20</b>	We hand-delivered notices to all of	07 51 16PM <b>20</b>	CHAIRMAN CASHMAN: Thank you.
21	our neighbors within a 250-foot radius to all 88	21	Are there any citizens who want to
22	of them that there are and as we were delivering	22	speak on this matter?
	7		9
1	7 them, people we spoke to were really excited	1	9 (No response.)
1 2	them, people we spoke to were really excited about us coming to the shopping center because	1 2	
	them, people we spoke to were really excited about us coming to the shopping center because it needs a little life in there and so they were		(No response.)  Commissioners, any questions for the applicants?
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2 3 4 5 6 7 8 9 07.49 34PM 10 11 12 13 14 15 16 17 18 19 07.50 06FM 20	them, people we spoke to were really excited about us coming to the shopping center because it needs a little life in there and so they were excited about it. And then we invited everyone for a coffee and a meet and greet at our studio on Saturday and no one showed up. So I think they like us then because they didn't come.  MS. MUELLER: We are assuming there's no concerns.  So then to address the parking situation. Finding a location with parking was our first priority. We share all of your concerns in parking, traffic congestion, safety. We want it to be as safe as possible. And we actually live a couple of blocks from the studio space. And after multiple drive-bys and stalking and sitting in the parking lot, we came to the conclusion that there's ample parking.  There's a parking lot in the front	2 3 4 5 6 7 8 9 07 51 38PM 10 11 12 13 14 15 16 17 18 19 07 51 42PM 20	(No response.) Commissioners, any questions for the applicants? MS. BRASELTON: The parking lot in the rear of the property, is it shared by anything else? MS. MUELLER: Ironically, it's the apartment building you guys were just talking about. MS. MILNE: Well, they have one side. MS. MUELLER: They have one side of it, yes. MS. BRASELTON: So this belongs to the shopping center? MS. MUELLER: It belongs to the shopping center, half of it does, and then half is to them. MS. BRASELTON: How do you get in and out of there?

	10		12
1	up so you can come in either side?	1	minimart opens?
2	MS. MUELLER: Yes. You can enter the	2	MS. MUELLER: I don't know.
3	parking lot off of 59th or there's on Madison	3	MS. MILNE: It's not early. It's not
4	Street there's two entrances to that parking lot	4	that early.
5	as well.	5	MS. MUELLER: That's a good question.
6	MS. MILNE: They have an alley from the	6	I don't know when that opens. But I know they
7	back that goes alongside of the building that	7	don't get busy until lunchtime or later
8	they can walk too.	8	afternoon we have been told.
9	CHAIRMAN CASHMAN: You have a front	9	MS. FIASCONE: How close is the closest
40	door.	07 53 50PM 10	residence to your building? Are we concerned
07 52 08PM 10	MS. MUELLER: Patrons will only come	11	with music at 5 a.m., you know, to the apartment
12	through the front door. The back door, it's not	12	buildings or like your employees' cars being
13	so nice back there. But there's a thoroughfare	13	shining in their windows?
14	between the two buildings. So it's like a	14	MS. MUELLER: There's two homes across
15	narrow it's kind of like an ally, but a	15	the street that will be I don't know how many
16	walk-through, thoroughfare. So people can enter	16	feet that is,
17	from the rear parking lot to the front.	17	MS. MILNE: They are across Madison.
18	CHAIRMAN CASHMAN: So typically the	18	MS. MUELLER: They are across Madison
19	staff would park in the back?	19	right next to Ruth Lake.
	MS. MUELLER: Most definitely staff and	07 54 18PM 20	There will be the parking lot and
07 52 34PM 20 21	the two of us. There's a nail salon there.	21	when people are coming that early in the
22	It's never full. I mean never. There's always	22	morning, I would assume that they would park
	11		13
1	five or six spots.	1	closest to the front door so there's
2	MS. MILNE: Then we have the gas	2	MS. MILNE: When you live on Madison,
3	station on the corner that used to be a gas	3	you have traffic anyway all times of day.
4	station and now has a lot of parking spaces.	4	CHAIRMAN CASHMAN: That's a good
5	MS. MUELLER: We have a lot of options.	5	question about music. So when you are doing the
6	Which, I mean, obviously for opening a new	6	class time and instructor is music playing, how
7	business like we are that is so key.	7	is the instruction?
8	CHAIRMAN CASHMAN: One question I had	8	MS. MUELLER: Music is playing but we
9	here. In the presentation you were talking	9	are not putting in a sound system. We plan to
07 53 04PM 10	about 6 a.m. and in the cover letter from Chan	07 54 42PM 10	have some small Bose. We will be talking
11	it refers to 5 a.m. What are you proposing?	11	throughout the workout and you are constantly
12	MS. MILNE: So we want to apply	12	changing exercises, so there will be background
13	initially, we are not going to start with 5 a.m.	13	music, it will not be blaring. We haven't
14	because we just don't think we will have the	14	soundproofed the walls. It will just be music.
15	clientele at 5 a.m. But after the first year,	15	CHAIRMAN CASHMAN: Do all the people do
16	hopefully.	16	the same thing at the same time?
17	MS. MUELLER: Or sooner.	17	MS. MUELLER: They do.
18	MS. MILNE: Yes. As soon as we get the	18	MS. MILNE: Well, you can modify it,
	to the total the sead the season by will	19	too, depending on your level. Because it can be
19	word out about it, and then people will,		
19 07 53 28PM <b>20</b>	hopefully, come earlier, like the train	07 55 04PM <b>20</b>	for any fitness level.
- 00		от 55 04РМ <b>20</b>	for any fitness level.  MR. PETERSON: What about the vibration

		14		16
	1	carry?	1	though.
	2	MS. MUELLER: No.	2	CHAIRMAN CASHMAN: It's like four feet
	3	MS. MILNE: A concrete floor it will	3	wide or something like that.
	4	not carry through it. I have one in my house on	4	MS. MUELLER: I don't even know if it's
	5	a wood floor and it's great. But if it did,	5	four feet wide.
	6	Power Plate has a power shield we put underneath	6	MS. MILNE: You can fit a bike through
1	7	that could absorb vibration. Which usually	7	it though.
	8	people only use it if they are on a second floor	8	MS. MUELLER: You can fit a bike
	9	but for a ground concrete floor we will be fine.	9	through it. We did it. I mean, it's not ideal
07 55 2	<sub>вРм</sub> 10	MS. MUELLER: So we there's like she	07 56 52PM 10	but it's fine.
	11	said, a concrete floor and there will be vinyl,	11	MR. JABLONSKI: You mention plenty of
	12	a vinyl sheet over the concrete. So there's no	12	parking places. Is any of that addressed in
	13	hook and key latch type of wood or anything like	13	your lease?
	14	that.	14	MS. MUELLER: It is. Yes. All of it
	15	CHAIRMAN CASHMAN: How loud are they	15	is open for our lease. Every parking space.
	16	when they run?	16	CHAIRMAN CASHMAN: So is it because as
	17	MS. MUELLER: They are not loud at all.	17	it vibrates, your body is trying to steady
	18	CHAIRMAN CASHMAN: Are you using an	18	itself?
	19	amplifier or just talking to the students?	19	MS. MILNE: Involves muscle
07 55 5	<sub>БРМ</sub> 20	MS. MUELLER: Just talking.	07 57 26PM <b>20</b>	contractions. So your whole body is trying to
	21	MS. MILNE: So in California the one	21	stabilize and you are doing like push ups and
	22	studio is on a second floor above like a juice	22	planks and jumping jacks. You are doing
		15		17
	1	shop, I think.	1	17 everything on it and your body is just
			1 2	
	1	shop, I think.		everything on it and your body is just
	1 2	shop, I think.  MS. MUELLER: Above a restaurant.	2	everything on it and your body is just constantly trying to stabilize so it's just so
	1 2 3	shop, I think.  MS. MUELLER: Above a restaurant.  Above like a Corner Bakery.	2 3 4	everything on it and your body is just constantly trying to stabilize so it's just so much more intense.
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	1 2 3 4 5	shop, I think.  MS. MUELLER: Above a restaurant.  Above like a Corner Bakery.  MS. BRASELTON: So it's not as noisy as a treadmill or is it the same?	2 3 4 5	everything on it and your body is just constantly trying to stabilize so it's just so much more intense.  CHAIRMAN CASHMAN: Especially when you look at the photo I didn't quite get a sense of
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5 of 10 sheets

Attachment 2

	18		20
	MS. MUELLER: Well, we are still doing	1	STATE OF ILLINOIS )
1			) ss:
2	market research on our price point. Our goal is	2	COUNTY OF DU PAGE )
3	we want to keep it affordable so that we can		THE TEN W. BONG Code of
4	attract everyone from even surrounding	3	I, KATHLEEN W. BONO, Certified Shorthand Reporter, Notary Public in and for the
5	communities and we want people to be able to do	5	County DuPage, State of Illinois, do hereby
6	other things that they like to do, whether it's	6	certify that previous to the commencement of the
7	yoga or SHRED or whatever, so we will let you	7	examination and testimony of the various
8	know. Lower than \$30 a class.	8	witnesses herein, they were duly sworn by me to
9	CHAIRMAN CASHMAN: Questions? Mark?	9	testify the truth in relation to the matters
7 58 48PM 10	MR. WILLOBEE: No.	10	pertaining hereto; that the testimony given by
11	CHAIRMAN CASHMAN: Anna?	11	said witnesses was reduced to writing by means
12	MS. FIASCONE: No.	12 13	of shorthand and thereafter transcribed into typewritten form; and that the foregoing is a
13	CHAIRMAN CASHMAN: Scott?	14	true, correct and complete transcript of my
14	MR. PETERSON: I'm good.	15	shorthand notes so taken aforesaid.
15	CHAIRMAN CASHMAN: Jim?	16	IN TESTIMONY WHEREOF I have
16	MR. KRILLENBERGER: All my questions	17	hereunto set my hand and affixed my notarial
17	have been addressed. Sounds like an exciting	18	seal this 21st day of August, A.D. 2017.
18	and needed new business venture. I wish you the	19	
19	best.	20	MATHLEEN W. BONO
7 59 02PM <b>20</b>	MS. MILNE: Thank you.	21	KATHLEEN W. BONO, C.S.R. No. 84-1423,
21	MS. MUELLER: Thank you very much.	21	Notary Public, DuPage County
22	CHAIRMAN CASHMAN: Do I hear a motion	22	,
	19		
1	to approve the special use permit for Plate 28		
2	at 5819 South Madison Street as submitted?		
3	MR. JABLONSKI: So moved.		
4	MR. KRILLENBERGER: I'll second.		
5	CHAIRMAN CASHMAN: Anna?		
6	MR. MARRS: Is that for the 5:00 a.m.		
7	start time?		
8	CHAIRMAN CASHMAN: Yes. My intention		
9	was for the way it is is fine.		
10	MR. MARRS: Okay.		
11	MS. FIASCONE: Aye.		
12	MR. WILLOBEE: Aye.		
13	CHAIRMAN CASHMAN: Aye.		
14	MR. JABLONSKI: Aye.		
15	MR. PETERSON: Aye.		
16	MS. BRASELTON: Aye.		
17	MR. KRILLENBERGER: Aye.		
18	MS. MUELLER: Thank you.		
19	MS. MILNE: Thank you.		
20	(WHICH, were all of the proceedings		
21	had, evidence offered or received		

in the above entitled cause.)

22

#### HINSDALE PLAN COMMISSION

RE: Case A-23-2017 - Applicant: Plate28 - 5819 S. Madison Street

Request: Special Use Permit to allow a Fitness Club in the B-1 Community Business District

DATE OF PLAN COMMISSION (PC) REVIEW:

August 9, 2017

DATE OF BOARD OF TRUSTEES 1ST READING:

September 5, 2017

#### FINDINGS AND RECOMMENDATION

#### I. FINDINGS

- 1. The PC heard testimony from the applicant, Ms. Milne and Ms. Mueller, company owners of Plate28. Ms. Milne explained the history of her experience with the Power Plate equipment eight years ago, when she became a certified instructor. She summarized how the equipment works, and the various types of training you can perform on the plate. The applicant also introduced Ms. Natalie Barsalli, the Power Plate national customer engagement manager of North America to answer any questions on the equipment.
- 2. The applicant reviewed that each class will have a maximum of 8 people, 1 person per Power Plate. The 1<sup>st</sup> year goal for Plate28 is to host 16 classes per day. Morning classes will be from 5 AM to 10 AM, and evenings from 5 PM to 8 PM. The goal after year 1, is to host 24 classes per day, from 5 AM to 12 PM, and 4 PM to 8 PM.
- 3. The applicant hand-delivered the (250') public hearing notices and explained that the people they spoke to were excited about it. The applicant also invited everyone to a coffee meet and greet at their location. However, nobody attended the Saturday event. Ms. Mueller expressed that she believes this indicated there's no concerns. The Plan Commissioner asked if there were any citizens who wished to speak on the application request. There was no one from the audience who spoke.
- 4. The applicant reviewed that they examined the parking use and concluded that there is ample parking. The applicant also indicated available parking in the rear of the building and the next door (former) gas station parking spaces at S. Madison St. and 59<sup>th</sup> Street. A Plan Commissioner asked if the parking places are addressed in the lease. Ms. Mueller replied that it is, all of it is open for their lease.
- 5. A Plan Commissioner asked if the parking lot in the rear of the building is shared. The applicant explained that one side (half of it) is for the apartment building to the east of the subject property, and the other side/half is for the subject property building tenants' use. The entrance to the rear parking lot is on 59<sup>th</sup> Street. The applicant also explained that the Plate28 patrons will only enter through the front door, however, the staff will enter from the rear entrance. She also indicated there are always 5 or 6 parking spaces available in the rear lot.
- 6. A Plan Commissioner asked about music, if and when is it played. The applicant replied that music will be played during the class. However, they are not installing a sound system, since they will be talking throughout the workout. However, they will utilize a small portable unit (the example used was a Bose unit) for background music. The applicant also explained that the machines are not loud ("a lot less noisy than a treadmill") and the class host will not need an amplifier
- 7. A Plan Commissioner asked about the vibration of the machines, and the potential vibrations carried to the tenants on each side of the building. The applicant explained that the concrete floors will not carry the vibrations. Ms. Milne said that she has one in her house, on a wood floor, and it's not an issue. The Power Plate also has a "power shield" that is underneath the machine that absorbs vibration; which people usually use if it was on the second floor.

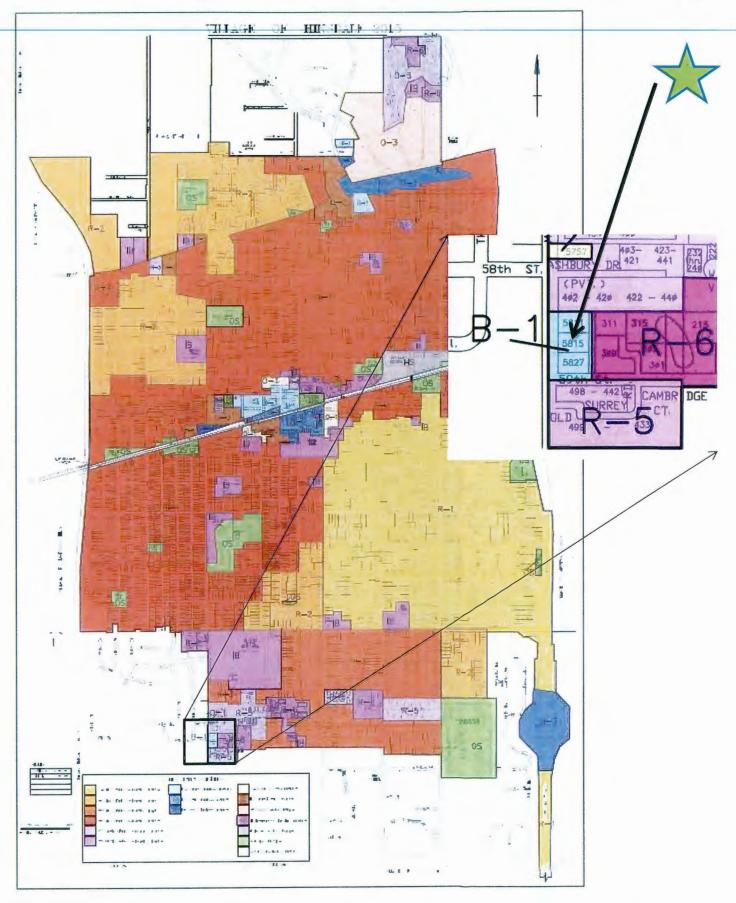
#### II. RECOMMENDATIONS

Following a motion to recommend approval of the proposed Special Use Permit as submitted, the Village of Hinsdale Plan Commission, on a vote of seven (7) "Ayes," and two (2) "Absent," recommends that the President and Board of Trustees approve the Special Use Permit application as submitted.

THE HINSDALE PLAN COMMISSION By:		, Chairman		
	Dated this	day of		, 2017.

# Attachment 4: Village of Hinsdale Zoning Map and Project Location





Attachment 5: Birds Eye View of 5819 S. Madison Street (facing east)





AGENDA ITEM # 8 b

REQUEST FOR BOARD ACTION
Police Department

AGENDA SECTION:

First Reading - ZPS

SUBJECT:

Updates to the Solicitors Ordinance

**MEETING DATE:** 

September 5, 2017

FROM:

Bradley Bloom, Assistant Village Manager; Brian King, Chief of Police

#### **Recommended Motion**

Move to Approve an Ordinance Amending Title 3 ("Business and License Regulations"), Chapter 11 ("Solicitation") of the Village Code of Hinsdale

#### **Background**

Staff recently completed a review of the Solicitor Ordinance in the Village Code. The review considered court decision on regulating solicitors and a series of best practices identified from other municipal governments.

#### **Discussion & Recommendation**

Solicitations for religious proselytizing, political speech, charitable and commercial solicitation is a recognized and established form of free speech protected by the First Amendment. There is a legitimate government interest in effectively regulating solicitors conducting charitable and commercial solicitation in the Village. The staff work dedicated to this review balanced the effective and proactive administration of the Village's Solicitation Ordinance while respecting the 1<sup>st</sup> Amendments protections afforded this activity.

We make the following recommendation:

- The permit exemption for minors be lowered from 17 to 15 years of age.
- Solicitors be provided with a clearly identifiable solicitation vest so they are readily identifiable as registered solicitors.
- The department will create and maintain a "Do-Not-Solicit" list that each registered solicitor will be required to carry and utilize when conducting door to door solicitations.
- A requirement that a reflective safety vest be worn by those soliciting on the public right of way.

#### **Budget Impact**

An initial outlay of \$800.00 will be required for purchasing vests and producing educational material.

# Village Board and/or Committee Action

n/a

## **Documents Attached**

1. Amended Ordinance

#### VILLAGE OF HINSDALE

<b>ORDINA</b>	NCE NO	•

# AN ORDINANCE AMENDING TITLE 3 ("BUSINESS AND LICENSE REGULATIONS"), CHAPTER 11 ("SOLICITATION") OF THE VILLAGE CODE OF HINSDALE

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have determined that it is appropriate and in the best interest of the Village and its residents to provide additional mechanisms to protect the privacy interests of Village of Hinsdale's residents, promote safety of individuals engaging in solicitation, and prevent fraud; and

**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: Title 3 ("Business and License Regulations"), Chapter 11 ("Solicitation") Section 3-11-3 ("Permit Exemption for Minors"), of the Village Code of Hinsdale is hereby amended by deleting reference to "age of seventeen (17)" and replacing it with "age of fifteen (15)".

Section 2: Title 3 ("Business and License Regulations"), Chapter 11 ("Solicitation") Section 3-11-4 ("Solicitation Permit"), Subsection B, of the Village Code of Hinsdale is hereby amended to read in its entirety as follows:

- "B. Issuance: The chief of police shall issue a solicitation permit and safety vest to an applicant within two (2) days after the chief of police receives the application. An application can be denied if the chief of police finds and determines one of the following:
- 1. The applicant has properly provided all information required by the chief of police and the application and the material statements made in the application are true.
- 2. The applicant has not been convicted of a felony under the laws of the state of Illinois, any other state, or the United States within five (5) years immediately prior to the date of filing of the application.
- 3. The applicant has not had a village solicitation permit revoked or suspended within five (5) years immediately prior to the date of filing of the application.
- 4. The applicant has not been convicted of violating any provision of this chapter, or of any provision of any previous village solicitation regulation, within five (5) years immediately prior to the date of filing of the application."

- Section 3: Title 3 ("Business and License Regulations"), Chapter 11 ("Solicitation") Section 3-11-4 ("Solicitation Permit"), of the Village Code of Hinsdale is hereby amended by creating a new Subsection, 3-11-4(E), which shall read in its entirety as follows:
  - "E. Safety Vest: The Chief of Police or his designee shall issue a safety vest to each person issued a permit pursuant to this Section 3-11-4, which shall be worn as the outer most layer of clothing at all times of the soliciting. A refundable cash deposit per solicitor is required for each reflective safety vest issued by the Village Police Department. Each reflective safety vest must be returned to the Police Department within thirty (30) days after the expiration of the permit. The cash deposit will be refunded to the solicitor upon return of the reflective safety vest. The cash deposit is automatically forfeited to the Village of Hinsdale if any reflective safety vest is not returned to the Police Department within thirty (30) days from expiration of the permit."
- Section 4: Title 3 ("Business and License Regulations"), Chapter 11 ("Solicitation") Section 3-11-4 ("Solicitation Permit"), of the Village Code of Hinsdale is hereby amended by creating a new Subsection, 3-11-4(F), which shall read in its entirety as follows:
  - "F. Do-Not-Solicit List: The Chief of Police or his designee shall maintain a do-not-solicit list, and provide a copy of said do-not-solicit list to each person issued a permit pursuant to this Section 3-11-4. No person shall solicit at any address, which is listed on the do-not-solicit list. It shall be the duty of all solicitors to carry on their person the do-not-solicit list while soliciting."
- <u>Section 5:</u> Title 3 ("Business and License Regulations"), Chapter 11 ("Solicitation") Section 3-11-5 ("Regulations Applicable To All Solicitation"), of the Village Code of Hinsdale is hereby amended to read its entirety as follows:

"All solicitors shall comply with the following regulations:

- A. "No Solicitation" Notices: No person shall solicit at or in any premises that has posted on or near its principal entrance a sign bearing the words "No Trespassing", "No Peddlers", "No Solicitors", or any other similar notice indicating in any manner that the occupants of such premises desire not to be solicited or to have their right to privacy disturbed, unless the occupants have specifically requested such solicitation. The chief of police or the chief of police's duly authorized designee may make available cards bearing a notice of the type herein described for posting on or near the principal entrance to any premises.
- B. Do-Not-Solicit List: No person shall solicit at or in any address, which is listed on the do-not-solicit list. It shall be the duty of all solicitors to carry on their person the do-not-solicit list while soliciting. Any property owner, or tenant if the

property is leased, may elect to add or remove his or her residence to or from the list, at any time, by:

- (1) Calling or visiting the Village's Police Department; or
- (2) Directing an email request to the Village's Police Department through a link to be maintained on the Village's website for that purpose.

Every person who elects to add his or her residence to the do-not-solicit list shall be required to re-register such residence every five (5) years. Any residence that is not re-registered in accordance with this section shall be removed from the do-not-solicit list. Any person may obtain a copy of the do-not-solicit list by:

- (1) Visiting the Village's Police Department during normal business hours;
- (2) Accessing a copy from the Village's website.
- C. No Solicitation From Vehicles: No person shall solicit from a motorized vehicle at any time in any location within the Village.
- D. No Advertising Or Use Of Sound: No person shall advertise any solicitation at any time within the village by use of signs, sound, or any other method. Nor shall any person use music or any other sound when soliciting.
- E. Principal Approach And Entrance Only: Every solicitor shall approach a premises only by using the principal approach route thereto, and every solicitor shall attempt to make contact with the occupants thereof only at the principal entrance to such premises.
- F. Discontinuance On Request: No solicitor shall solicit any person or premises at any time after any such person or the occupant of such premises requests that the solicitor leave the premises or otherwise cease soliciting.
- G. Hours When Solicitation Prohibited: Except only as provided in subsection 3-11-6C of this chapter, no person shall solicit anywhere in the village at any time between the hours of nine o'clock (9:00) P.M. and nine o'clock (9:00) A.M.
- H. Immediate Identification: Every solicitor shall immediately identify himself or herself and the purpose of the solicitation to each person being solicited.
- I. Display Of Permit: Every solicitor shall carry the solicitation permit issued to the solicitor pursuant to this chapter while soliciting within the village and shall present the solicitation permit when requested by any person.

J. Protective Clothing: Every solicitor shall wear a reflective safety vest issued to the solicitor pursuant to this chapter while soliciting within the village.

K. Impeding Traffic Prohibited: No person shall solicit anywhere in the village in a manner that completely or substantially impedes the flow of pedestrian or vehicular traffic in, on, or around any sidewalk or public property, way, or place. No person engaged in solicitation shall have the exclusive right to any sidewalk or other public property, way, or place, nor the right to establish a permanent stationary location for such solicitation.

L. Soliciting Rides Or Business On Public Rights Of Way: No person shall stand in a public right of way within the village for the purpose of soliciting a ride from the driver of any vehicle, or for the purpose of soliciting employment or business from the occupant of any vehicle.

M. Fraud Or Misrepresentation: No person shall perpetrate a fraud or misrepresentation of any kind while engaged in solicitation within the village.

N. Public Health And Safety: No person shall engage in solicitation within the village in such a manner that creates a danger or threat of any kind to the public health, safety, and welfare. (Ord. O2005-31, 7-19-2005)"

<u>Section 6</u>: Title 3 ("Business and License Regulations"), Chapter 11 ("Solicitation") Section 3-11-6 ("Charitable Solicitation on Public Rights of Way"), Subsection G ("Protective Clothing"), of the Village Code of Hinsdale is hereby amended to read its entirety as follows:

"G. Protective Clothing: Every person engaged in charitable solicitation on any public right of way within the village shall wear a reflective safety vest at all times while engaged in such solicitation."

Section 7: Title 3 ("Business and License Regulations"), Chapter 11 ("Solicitation") Section 3-11-9 ("Revocation"), of the Village Code of Hinsdale is hereby amended to read its entirety as follows:

"The chief of police shall revoke immediately any solicitation permit issued pursuant to this chapter if the chief of police determines that the solicitor is in violation of any of the provisions or requirements of this chapter or of the solicitation permit issued pursuant hereto, or if the solicitor made a false material statement in the application or otherwise becomes disqualified for the issuance of a solicitation permit under the terms of this chapter. Immediately after such revocation, the chief of police shall take custody of the solicitation permit and related safety vest. The chief of police shall give written notice of the revocation to the solicitor as soon as practicable thereafter, in the form of a citation that states the reason for the permit revocation or such other form approved by the chief

of police that clearly states the reason for such revocation. The chief of police shall serve the citation or other form of notice on the solicitor in person or by certified U.S. mail, return receipt requested, addressed to the residence address set forth in the solicitor's application. The permit shall become null and void immediately on service of the notice of revocation as provided in this section."

Section 8: Severability and Repeal of Inconsistent Ordinances. Each section, paragraph, clause and provision of this Ordinance is separable, and if any section, paragraph, clause or provision of this Ordinance shall be held unconstitutional or invalid for any reason, the unconstitutionality or invalidity of such section, paragraph, clause or provision shall not affect the remainder of this Ordinance, nor any part thereof, other than that part affected by such decision. All ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Effective Date. This Ordinance shall be in full force and effect from and

after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_\_ 2017.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_

ABSENT: \_\_\_\_\_

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk



AGENDA ITEM # 90 REQUEST FOR BOARD ACTION Finance

AGENDA SECTION:

Consent – ACA

SUBJECT:

Accounts Payable-Warrant #1633

**MEETING DATE:** 

September 5, 2017

FROM:

Darrell Langlois, Assistant Village Manager/Finance Director

M

#### **Recommended Motion**

Move to approve payment of the accounts payable for the period of August 16, 2017 through September 5, 2017 in the aggregate amount of \$1,956,133.89 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.

#### **Background**

At each Village Board meeting the Village Treasurer submits a warrant register that lists bills to be paid and to ratify any wire transfers that have been made since the last Village Board meeting. Supporting materials for all bills to be paid are reviewed by Village Treasurer and one Village Trustee prior to the Village Board meeting.

#### **Discussion & Recommendation**

After completion of the review by the Village Treasurer and Village Trustee approval of Warrant #1633 is recommended.

#### **Budget Impact**

N/A

#### Village Board and/or Committee Action

Village Board agenda policy provides that the Approval of the Accounts Payable should be listed on the Consent Agenda

## **Documents Attached**

1. Warrant Register #1633

## VILLAGE OF HINSDALE

# ACCOUNTS PAYABLE WARRANT REGISTER #1633

FOR PERIOD August 16, 2017 through September 5, 2017

The attached Warrant Summary by Fund and Warrant Register listing TOTAL DISBURSEMENTS FOR ALL FUNDS of \$1,956,133.89 reviewed and approved by the below named officials.

APPROVED BY ()		
VILLAG	E TREASURER/ASSISTANT VILLA	GE MANAGER
A DDD OVED DV		DATE
APPROVED BY	VILLAGE MANAGER	DATE
	VILLAGE MANAGER	
APPROVED BY		DATE
	VILLAGE TRUSTEE	

# Village of Hinsdale #1633 Summary By Fund

Recap By Fund	Fund	Regular Checks	ACH/Wire Transfers	Total
General Fund	10000	239,717.19		239,717.19
Capital Project Fund	45300	1,185,331.57	-	1,185,331.57
Water & Sewer Operations	61061	23,800.01		23,800.01
Escrow Funds	72100	231,857.50	_	231,857.50
Payroll Revolving Fund	79000	8,224.48	267,203.14	275,427.62
Total		1,688,930.75	267,203.14	1,956,133.89

# Village of Hinsdale Schedule of Bank Wire Transfers and ACH Payments 1633

Payee/ Date	Description	Vendor Invoice		Invoice Amount
Electronic Federal Tax Payment Systems				
8/11/2017	Village Payroll #16 - Calendar 2017	EWH/FICA/Medicare	2	98,488.39
8/25/2017	Village Payroll #17 - Calendar 2017		\$	97,363.75
Illinois Department of Revenue				
8/11/2017	Village Payroll #16 - Calendar 2017	State Tax Withholding	\$	19,070.88
8/25/2017	Village Payroll #17 - Calendar 2017	State Tax Withholding	\$	18,714.93
ICMA - 457 Plans				
8/11/2017	Village Payroll #16 - Calendar 2017	Employee Withholding	\$	15,105.38
8/25/2017	Village Payroll #17 - Calendar 2017	Employee Withholding	\$	15,838.25
HSA PLAN CONTRIBUTION				
8/11/2017	Village Payroll #16 - Calendar 2017	Employer/Employee Withholding	\$	1,310.78
8/25/2017	Village Payroll #17 - Calendar 2017	Employer/Employee Withholding	\$	1,310.78
Intergovernmental Personnel Benefit Coope	erative	Employee Insurance	\$	-
Illinois Municipal Retirement Fund		Employer/Employee	\$	
	Total Bank Wi	re Transfers and ACH Payments	\$	267,203.14

ipbc-general payroll 267,203.14
267,203.14

Run date: 31-AUG-17

Village of Hinsdale

Page: 1

	WARRANT R	EGISTER:	1633		DA	ATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION		INVOIC NUMBE		ı	AMOUNT PAID
DUPAGE MA	YORS & MANAGERS					
211076	2017-2018 CONF MEMBER DUI	≣ Total for		111093		2,955.03 <b>2,955.03</b>
FITZPATRICH						
	DIR DEP #142041 & #142296		080817			\$132.76
211126	DIR DEP #142041 & #142296		080817			\$77.27
	,	Total for	Check:	111094		\$210.03
AFLAC-FLEX	ONE					
	AFLAC OTHER		0825170	00000000		\$265.46
211207	ALFAC OTHER		0825170	00000000		\$211.29
211208	AFLAC SLAC			00000000		\$220.03
•		Total for	Check:	111095		\$696.78
NATIONWIDE	RETIREMENT SOL					
	USCM/PEBSCO		0825170	00000000		\$176.58
	USCM/PEBSCO			000000000		1,105.00
		Total for	Check:	111096		1,281.58
NATIONWIDE	TRUST CO.FSB					
	PEHP REGULAR		0825170	00000000	\$	2,286.35
211209	PEHP UNION 150			00000000		\$346.64
211211	PEHPPD			00000000		\$504.63
		Total for		111097		3,137.62
CTATE DICDI	IDEEMENT LINIT					•
	JRSEMENT UNIT CHILD SUPPORT		0825170	00000000		\$313.21
211212	CHILD SUPPORT	Total for		111098		\$313.21
		i otal ioi	Oncok.	111000		ΨΟ 10.2 1
	JRSEMENT UNIT					
211213	CHILD SUPPORT			00000000		\$230.77
		lotal for	Check:	111099		\$230.77
STATE DISBU	JRSEMENT UNIT					
211214	CHILD SUPPORT		0825170	00000000		\$764.77
		Total for	Check:	111100		\$764.77
STATE DISRI	JRSEMENT UNIT					
211215	CHILD SUPPORT		0825170	00000000		\$672.45
211210	5111 <u>2</u> 5 551 1 5111	Total for		111101		\$672.45
VOI ELEV	DENEETO					
V.O.H. FLEX I			0825170	00000000		¢283 33
211203 211204	MEDICAL REIMBURSEMENT MEDICAL REIMBURSEMENT			00000000		\$283.33 \$487.32
21120 <del>4</del> 211205	DEP CARE REIMBURSEMENT			00000000		\$33.33
Z 1 1200	DEI OAKE KEIMBOKOEMEN	Total for				\$803.98
				<b>· · -</b>		, <del>-</del>

	WARRANT RE	EGISTER:	1633		DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION		INVOICE NUMBER		AMOUNT PAID
VSP ILLINOIS 211199 211200	S - 30048087  VSP SINGLE ALLEMPLOYEES  VSP FAMILY ALL EMPLOYEES	Total for		00000000 00000000 <b>111103</b>	\$110.20 \$213.12 <b>\$323.32</b>
<b>209 S MADIS</b> 211163	ON, LLC ST MGMT-209 S MADISON	Total for	23752 Check:	111104	\$3,000.00 <b>\$3,000.00</b>
209 S MADIS 211164 A & B LANDS	CONT BD-209 S MADISON	Total for	23753 Check:	111105 111106	\$10,000.00 <b>\$10,000.00</b> -VOID
211297 211298 211299	6/5/17 LAWN MAINTENANCE 6/29/17 LAWN MAINTENANCE JULY LAWN MAINTENANCE	Total for	12017-15 2017-210 2017-275 Check:	)	\$75.00 \$100.00 \$100.00 <b>\$275.00</b>
A LAMP CON 211130 211131 211269	CRETE  2017 RESURFACING PROJECT 2017 RESURFACING-PHASE 2 2017 RECONSTRUCT PROJ	Total for	15710 15709 082517 Check:	111108	\$239,086.92 \$667,063.35 \$42,297.66 \$948,447.93
<b>A/R CONCEP</b> 211004	TS INC COLLECTION FEES	Total for	VOH200J	JUNE 111109	\$226.11 <b>\$226.11</b>
ABC COMME 211274 211275	RCIAL MAINT SERV DETAILED CLEANING CARPET CLEANING	Total for	0802 0803 Check:	111110	\$450.00 \$490.00 <b>\$940.00</b>
<b>AHMED, SAN</b> 211253	REFUND	Total for	080117 Check:	111111	\$95.00 <b>\$95.00</b>
<b>AIRGAS USA</b> 211152	LLC MED OXYGEN CYL RENTAL	Total for	99464558 Check:		\$39.03 <b>\$39.03</b>
ALEXANDER 211230	EQUIPMENT CHIPPER CLUTCH REPAIR	Total for	136340 <b>Check:</b>	111113	\$56.17 <b>\$56.17</b>
ALLIANCE M 211220	ECHANICAL KLM REPAIRS		1163525		\$210.00

	WARRANT REGISTER: 1633			DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION	INVOICE NUMBEI		AMOUNT PAID
		Total for Check:	111114	\$210.00
ALLIED GAR	AGE DOOR INC			
210939	REPLACE DOOR TRACK	95325		\$528.57
		Total for Check:	111115	\$528.57
AL PHA BUIL	DING MAINTENANC			
211225	CUSTODIAL	18059VH	I	\$777.00
211225	CUSTODIAL	18059VH		\$1,678.00
211225	CUSTODIAL	18059VH		\$1,790.00
211225	CUSTODIAL	18059VH		\$22.00
211225	CUSTODIAL	18059VH		\$74.00
211225	CUSTODIAL	18059VH		\$534.00
		Total for Check:		\$4,875.00
AMERICAN E	TYPRESS			
211384	ASSORTED MERCHANDISE	8-03003-	071217	\$920.40
211384	ASSORTED MERCHANDISE	8-03003-		\$1,362.00
211384	ASSORTED MERCHANDISE	8-03003-		\$35.00
211384	ASSORTED MERCHANDISE	8-03003-		\$63.30
211384	ASSORTED MERCHANDISE	8-03003-		\$12.24
211384	ASSORTED MERCHANDISE	8-03003-		\$1,441.51
211384	ASSORTED MERCHANDISE	8-03003-		\$388.65
211384	ASSORTED MERCHANDISE	8-03003-		\$11.17-
211384	ASSORTED MERCHANDISE	8-03003-		\$99.00-
211384	ASSORTED MERCHANDISE	8-03003-		\$847.99
211384	ASSORTED MERCHANDISE	8-03003-		\$15.95
211384	ASSORTED MERCHANDISE	8-03003-		\$328.53
211384	ASSORTED MERCHANDISE	8-03003-		\$99.00
211384	ASSORTED MERCHANDISE	8-03003-		\$391.36
211384	ASSORTED MERCHANDISE	8-03003-		\$22.98
211384	ASSORTED MERCHANDISE	8-03003-		\$309.94
211384	ASSORTED MERCHANDISE	8-03003-		\$914.61
211384	ASSORTED MERCHANDISE	8-03003-		\$179.99
211384	ASSORTED MERCHANDISE	8-03003-		\$1,020.00
211384	ASSORTED MERCHANDISE	8-03003-		\$706.80
211384	ASSORTED MERCHANDISE	8-03003-	· · · – · ·	\$325.47
211004	ACCOUNTED MERCINITATION	Total for Check:		\$9,275.55
AMEDIO 411 1	ITHOODADHY			•
	LITHOGRAPHY	252101-0	11	\$3,880.00
210989	FALL 2017 BROCHURE	Total for Check:		\$3,880.00 \$3,880.00
		Total for Check;	111110	<b>\$3,000.00</b>
	MEMORIES VIDEO		1.	
211255	MOVIES-PARK FALL PAYMENT			\$1,448.00
		Total for Check:	111119	\$1,448.00

# AMITA MED CTR BOLINGBROOK

Run date: 31-AUG-17 Village of Hinsdale Page: 4 **WARRANT REGISTER: 1633** DATE: 09/05/17 VOUCHER INVOICE AMOUNT VOUCHER **DESCRIPTION** NUMBER PAID 211296 **VOH SCREENING** 2090 \$30.00 Total for Check: 111120 \$30.00 ANAGNOS DOOR CO INC REPAIR GARAGE DOOR-PUBLIC 211309 1111283510 \$326.25 Total for Check: 111121 \$326.25 ANDRES MEDICAL BILLING LT **JULY COLLECTIONS** 211003 141678 \$2,200.88 Total for Check: 111122 \$2,200.88 ARAMARK UNIFORM SERVICES FLOOR MATS & TOWELS 211366 2081178375 \$71.95 211366 FLOOR MATS & TOWELS 2081178375 \$8.99 211366 FLOOR MATS & TOWELS 2081178375 \$161.00 211366 FLOOR MATS & TOWELS 2081178375 \$15.15 211367 FLOOR MATS 2081178374 \$79.80 211368 **FLOOR MATS** 2081187585 \$79.80 211369 **FLOOR MATS & TOWELS** 2081187586 \$71.95 211369 FLOOR MATS & TOWELS 2081187586 \$8.99 FLOOR MATS & TOWELS 211369 2081187586 \$161.00 FLOOR MATS & TOWELS 211369 2081187586 \$15.15 Total for Check: 111123 \$673.78 ASCAP 100004758923 211108 ANNUAL MUSIC LICENSE \$350.33 Total for Check: 111124 \$350.33 **ASHYANA BANQUETS** MISCELLANEOUS-EN170819 23448 \$500.00 211332 Total for Check: 111125 \$500.00 **AT & T** 6303238639258 \$218.04 211405 **VEECK PARK-WP** Total for Check: 111126 \$218.04 **AUCOIN, ADRIAN** 211179 CONT BD-423 N BRUNER 23486 \$10,000.00 Total for Check: 111127 \$10,000.00 **AUCOIN, ADRIAN** 

23485

23035

Total for Check: 111129

Total for Check: 111128

\$3.000.00

\$3,000.00

\$4.398.00

\$4,398.00

ST MGMT-423 N BRUNER

STMWR RD-423 N BRUNER

211183

**AUCOIN. ADRIAN** 

211192

Run date: 31-AUG-17 Village of Hinsdale Page: 5 **WARRANT REGISTER: 1633** DATE: 09/05/17 VOUCHER **AMOUNT** INVOICE **VOUCHER** DESCRIPTION **PAID** NUMBER **AUCOIN, ADRIAN** 211193 ST MGMT-423 N BRUNER 23034 \$3,000.00 \$3,000.00 Total for Check: 111130 AWARDING YOU 211249 POLICE CHIEF RETIREMENT 60097 \$119.99 Total for Check: 111131 \$119.99 AWWA AWWA MEMBERSHIP DUES70014 211149 13347 \$206.00 Total for Check: 111132 \$206.00 **AYALA-JOHNSON, NEAL** REFUND DUPLICATE PAYMENT 080417 211002 \$130.00 Total for Check: 111133 \$130.00 AZIZ, NERMEEN 22639 \$8,239.00 211186 STMWR BD-721 CLEVELAND Total for Check: 111134 \$8,239.00 **BANNERVILLE USA** 211291 **CAR MAGNET FOR JULY 4TH** 23506 \$50.00 Total for Check: 111135 \$50.00 **BAYIT BUILDERS LLC** 23006 \$6,488.00 211329 STMWR BD-521 WALKER Total for Check: 111136 \$6,488.00 **BEUCHER. TIMOTHY** 22842 211196 KLM SECURITY DEP-EN170805 \$500.00 Total for Check: 111137 \$500.00 **BINGLE, ROBERT** 211137 **OVERPAYMENT** #2806274 \$145.50

211107	O V EI (I / ( I III EI ( I	Total for Check: 111138	\$145.50
BNSF CONT	RAT ORIENTATION		
211403	BNSF PLATFORM TRAINING	082817	\$380.00
		Total for Check: 111139	\$380.00
BOUND TRE	EE MEDICAL, LLC		
211135	G3 TIDAL GREEN MED BAG	82561612	\$406.49
		Total for Check: 111140	\$406.49
BRETON, W	ESLEY		
211187	STMWR BD-219 E SEVENTH	22104	\$11,460.00
		Total for Check: 111141	\$11,460.00

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Village of Timedale				i age. o	
	WARRANT R	EGISTER:	: 1633		DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION		INVOICI NUMBE		AMOUNT Paid
BROSSA, LA	IA				
211254			082117		\$100.00
		Total for	r Check:	111142	\$100.00
BUONA HOM	IES				
211005	REF OF APP FEES WITHDRAV	VN	P17-618	6	\$600.00
211005	REF OF APP FEES WITHDRAV REF OF APP FEES WITHDRAV	VN	P17-618	6	\$50.00
211005	REF OF APP FEES WITHDRAV				\$50.00
		Total for	r Check:	111143	\$700.00
CALL ONE					
211375	PHONE CHARGES AUGUST			-1136113	\$600.19
211375	PHONE CHARGES AUGUST			-1136113	\$1,102.19
211375	PHONE CHARGES AUGUST			-1136113	\$233.36
211375	PHONE CHARGES AUGUST			-1136113	\$51.51
211375	PHONE CHARGES AUGUST			-1136113	\$91.67
211375	PHONE CHARGES AUGUST				\$51.51
211375	PHONE CHARGES AUGUST				\$251.74
211375	PHONE CHARGES AUGUST			-1136113	
211375	PHONE CHARGES AUGUST	T-4-16-		-1136113	\$1,274.61
		i otai toi	r Cneck:	111144	\$3,802.98
CARLTON, S					
211260	REFUND-POOL PARTY		167534		\$100.00
		Total for	r Check:	111145	\$100.00
CBC RESTAL	JRANT CORP				
211219	8-8 NEW COMMISS TRAINING		1101053	7320097	\$125.21
		Total for	r Check:	111146	\$125.21
CCC TECHNO	OLOGIES, INC				
	SCADA REPAIR		218627	e felologic	\$300.00
		Total for	Check:	111147	\$300.00
CUICA CO MI	DWEST BUILDERS				·
211173	CONT BD-941 S BRUNER		23696		\$937.00
211173	CONT BD-941 3 BRONER	Total for	r Check:	111148	\$937.00
		10001101	CHOCK	1111-10	<b>4007100</b>
	ARTS & SOUND LLC	^	2010005	240	<b>#077.00</b>
211231	AUTO MAINTENANCE-SQUADS		30IC0256 Check:	and the second s	\$677.86
		i otal for	Check:	111149	\$677.86
CHICAGO TR					
210933	HEARING 8/15 #5104703		0033450		\$100.80
		Total for	Check:	111150	\$100.80
CLARENDON	I HILLS PARK DIST				
211272	LITTLE ACTORS CLUB		113119-	A 2017	\$512.00
_ · · · <del>_</del> ·					•

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Run date: 31	-AUG-17 Villag	e of Hinso	iaie		Page:
	WARRANT R	EGISTER:	1633		DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION		INVOICE NUMBER		AMOUNT PAID
211293	TOT ROCK/KID ROCK	Total for	1203201 Check:		\$212.00 <b>\$724.00</b>
CLARK BAIR	D SMITH LLP				
211011	LEGAL		8814		\$248.75
211011	LEGAL	Total for	8814	111152	\$1,675.00 <b>\$1,923.75</b>
		i otai ioi	Cneck:	111152	\$1,923.75
	VIRONMENTAL				
211292	SEPT 17 MOSQUITO SERVICE		6363401	444450	\$13,874.00
		i otai foi	Check:	111153	\$13,874.00
	EVATOR COMPANY				
210950	ELEVATORS INSPECTORS FE		163434		\$225.00
		Total for	Check:	111154	\$225.00
<b>COLLINS SA</b>	RSFIELD CONST				
211174	CONT BD-513 W CHICAGO		23986		\$1,250.00
		Total for	r Check:	111155	\$1,250.00
COLLINS, MI	MI				
211256	REFUND OF FEES P17-6065		081617		\$122.40
211256	REFUND OF FEES P17-6065		081617		\$2,993.90
211256	REFUND OF FEES P17-6065		081617		\$250.00
211256	REFUND OF FEES P17-6065 REFUND OF FEES P17-6065		081617 081617		\$40.80 \$122.40
211256 211256	REFUND OF FEES P17-6065		081617		\$300.00
211256	REFUND OF FEES P17-6065		081617		\$300.00
211200	KEI OND OF FEED IN COCC	Total for		111156	\$4,129.50
COMCAST					
211376	POLICE/FIRE		8771201	110009242	\$69.57
211376	POLICE/FIRE			110009242	\$69.57
		Total for	Check:	111157	\$139.14
COMED					
210642	VILLAGE PLACE ALLEY		1094271	003	\$368.24
211246	LANDSCAPE LIGHTS 650		1107024	145	\$32.39
		Total for	Check:	111158	\$400.63
COMMERCIA	AL COFFEE SERVICE				
211323	PUB SERVICE COFFEE		143677		\$37.50
•		Total for	Check:	111159	\$37.50
CONSTELLA	TION NEWENERGY				
211378	121 SYMONDS PD		2094484		\$103.68
211379	121 SYMONDS FD		1209448	4	\$103.68
211380	217 SYMONDS		2094484		\$140.67

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Village of Hinsdale

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	DATE: 09/05/17		
VOUCHER	VOUCHER	EGISTER: 1633 INVOICE NUMBER	AMOUNT PAID
211381 211382 211383	500 W HINSDALE	2094484 2094484 2094484 Total for Check: 111160	\$178.45 \$1,295.41 \$176.24 <b>\$1,998.13</b>
	STOM HOMES	21739	\$5,564.00
	STMWR BD-437 S STOUGH	Total for Check: 111161	<b>\$5,564.00</b>
DAILY HERAI	L <b>D</b>	T4476977	\$64.40
210955	50/50 SIDEWALK BID AD	Total for Check: 111162	<b>\$64.40</b>
	EGIE - CHICAGO	13202	\$4,785.00
	LEADERSHIP TRAINING	Total for Check: 111163	<b>\$4,785.00</b>
	VISCH PLUMBING ROD MAIN SEWER LINE	485794 Total for Check: 111164	\$418.00 <b>\$418.00</b>
	JSTRIES INC.	050827	\$650.55
	SWEEP FOR PARADE	Total for Check: 111165	<b>\$650.55</b>
DENTISTRY E	BY DESIGN DOES NOT NEED PERMIT#R33	32 148.00	\$148.00
211006		Total for Check: 111166	<b>\$148.00</b>
	SPECTIVES, INC	16-845-8	\$600.00
	FINAL CO SERVICES	Total for Check: 111167	<b>\$600.00</b>
	ANDSCAPING INC	24122	\$500.00
	CONT BD-323 CHICAGO AVE	Total for Check: 111168	<b>\$500.00</b>
DUPAGE JUV	<b>'ENILE OFFICERS</b> FALL CONF 10/25-COUGHLIN FALL CONF 10-25-HOLECEK	082317	\$65.00
211118		082317	\$65.00
211119		Total for Check: 111169	<b>\$130.00</b>
<b>DUPAGE MA</b> `	Y <b>ORS &amp; MANAGERS</b>	10074 Total for Check: 111170	\$10.00
211265	STP WORKSHOP		<b>\$10.00</b>
<b>DYNEGY ENE</b> 211095	ERGY SERVICES 908 ELM-SER 5/18-6/18/17	174029617061	\$549.83

Run date: 31-AUG-17

Village of Hinsdale

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	WARRANT R	EGISTER: 1633	DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION	INVOICE NUMBER	AMOUNT PAID
211096 211097 211372 211373 211374	908 ELM-SER 7/19-8/16/17 TRANSFORMER-JUNE TRANSFORMER - JULY	147029717061 147029717071	\$49.44 \$45.40 \$1,787.36 \$1,561.16 \$1,656.97 <b>\$5,650.16</b>
EMBREE, DA	NA		
	OVERPAYMENT AMBULANCE	17159872 Total for Check: 111172	\$143.15 <b>\$143.15</b>
<b>EMERGENC</b> ) 210943	8 BOXES MEDICAL GLOVES	1922127 Total for Check: 111173	\$1,039.12 <b>\$1,039.12</b>
ERIC GEE CO	ONSTRUCTION		
211166	CONT BD-415 S THURLOW	24163 Total for Check: 111174	\$500.00 <b>\$500.00</b>
ETP LABS, IN	IC		
211103 ´	BACTERIA SAMPLES	17-132577 Total for Check: 111175	\$192.00 <b>\$192.00</b>
FACTORY M	OTOR PARTS CO		
211221	BLOWER MOTOR	50-1709374 Total for Check: 111176	\$61.93 <b>\$61.93</b>
FINLEY, DON	IALD		
	REIMBURSE-MED EXPENSES	081717 Total for Check: 111177	\$939.23 <b>\$939.23</b>
	D SUPPLY, INC.		
211300	3 SETS OF TURN OUR GEAR	17429 Total for Check: 111178	\$6,345.00 <b>\$6,345.00</b>
FIRST COMM	IUNICATIONS, LLC		
211377 211377 211377 211377 211377 211377 211377	JULY 2017 PHONE CHARGES JULY 2017 PHONE CHARGES	114295061 114295061 114295061 114295061 114295061 114295061 Total for Check: 111179	\$307.41 \$700.22 \$418.37 \$179.31 \$105.79 \$221.79 \$60.55 <b>\$1,993.44</b>
EITOU DATE:	00 110		÷ -,
FITCH RATIN 211401	GS, INC 2017A BOND RATING	7119042021 Total for Check: 111180	\$15,000.00 <b>\$15,000.00</b>

Run date: 31-AUG-17 Village of Hinsdale Page: 10 **WARRANT REGISTER: 1633** DATE: 09/05/17 **AMOUNT** VOUCHER INVOICE VOUCHER DESCRIPTION NUMBER PAID **FLEET SAFETY SUPPLY** 211134 LED SUPER MODEL 44 S/T/T6 68464 \$30.48 \$30.48 Total for Check: 111181 FRED GLINKE PLUMBING AND \$588.35 211153 ROD OUT MAIN SEWER LINE 33033 \$588.35 211153 ROD OUT MAIN SEWER LINE 33033 **BOILER RM PIPE MAIN SEWER** \$1,074.25 211154 5393-C 211154 **BOILER RM PIPE MAIN SEWER** 5393-C \$1,074.25 VILLAGE HALL-BRASS PLUG 32647 \$12.65 211301 32720 MEMORIAL HALL VET'S ROOM \$124.95 211302 Total for Check: 111182 \$3,462.80 **FULLERS SERVICE CENTER IN** A682150 \$335.00 211116 CAR WASHES & DETAILS Total for Check: 111183 \$335.00 GALLS 211289 BARRIER TAPE 007977690 \$84.37 Total for Check: 111184 \$84.37 **GENES TIRE SERVICE** 125981 \$33.15 211132 REPAIR SPARE TIRE-MEDIC Total for Check: 111185 \$33.15 GLOBAL EMERGENCY PRODUCTS AG57474 \$196.22 16 MEMBRANE LABELS 211133 Total for Check: 111186 \$196.22 GOLDY LOCKS, INC. SERVICE PUBLIC WORKS 651348 \$2.267.95 211271 Total for Check: 111187 \$2,267.95 GRAINGER, INC. \$16.92 POOL SNACKSHOP ICEMAKER 9527173091 211141 Total for Check: 111188 \$16.92

POS7E00072747

Total for Check: 111189

1904

1904

Total for Check: 111190

\$271.62

\$271.62

\$73,955.00

\$94,753.38

\$168,708.38

HARTZ CONSTRUCTION CO

UNIFORM ALLOWANCE

2018 RECONSTRUCT-S DESIGN

2018 RECONSTRUCT-N DESIGN

GREENAMYER, AMY

GSG CONSULTANTS

211406

211127

211128

Run date: 31-AUG-17 Village of Hinsdale Page: 11

Than date of Account things of Finishad					
	WARRANT RE	GISTER:	1633		DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION		INVOICE NUMBER		AMOUNT PAID
211144 211144 211144	REF STMWR FEE-23 W 57TH REF STMWR FEE-23 W 57TH REF STMWR FEE-23 W 57TH		081617 081617 081617 <b>Check:</b>	111191	\$300.00 \$300.00 \$50.00 <b>\$650.00</b>
HAWKINS, IN	C.				
211278 211279	CHLORINE CHLORINE	Total for	4126554 4129763 Check:		\$1,162.00 \$689.50 <b>\$1,851.50</b>
HD SUPPLY V	VATERWORKS,LTD				
211102 211227 211312 211313 211314	B-BOX REPAIR LIDS	- A	H621171 H474921 H620027 H650848 H565871 H651213 H620150 Check:		\$67.46 \$372.68 \$4,983.00 \$776.00 \$3,057.90 \$2,020.00- \$2,044.08 <b>\$9,281.12</b>
HEALTH INSF	PECTION				
211146	MAY-JULY FOOD SVC INSP	Total for	226 Check:	111194	\$750.00 <b>\$750.00</b>
HILDEBRAND	SPORTING GOODS				
210930	NAME PLATES	Total for	18569 Check:	111195	\$56.00 <b>\$56.00</b>
HINSDALE N	JRSERIES, INC.				
211252	TREE PLANTING	Total for	1581337 Check:	111196	\$239.00 <b>\$239.00</b>
HOLLAND HA					
211244	REPAIR	Total for	080117 Check:	111197	\$9.90 <b>\$9.90</b>
HOME DEPOT 211385 211386 211387 211388	CREDIT SERVICE ASST HARDWARE ASST HARDWARE ASST HARDWARE ASST HARDWARE	Total for	8023366 8044075 5064369 21170 Check:	111198	\$103.18 \$191.62 \$37.32 \$47.82 <b>\$379.94</b>
HOMECRAFT					
211049 211057 211058 211168	ST MGMT-630 DALEWOOD LN CONT BD-630 DALEWOOD LAN CONT BD-630 DALEWOOD LAN CONT BD-630 DALEWOOD LAN	IE	23568 23569 24012 23838		\$3,000.00 \$10,000.00 \$4,657.50 \$500.00

Run date: 31-AUG-17 Village of Hinsdale Page: 12 **WARRANT REGISTER: 1633** DATE: 09/05/17 VOUCHER INVOICE **AMOUNT** VOUCHER DESCRIPTION NUMBER PAID Total for Check: 111199 \$18,157.50 HOMER TREE CARE, INC 211285 TREE PRUNING 28768 \$300.00 Total for Check: 111200 \$300.00 HR GREEN INC 2017 RESURFACING PROJ \$53,175.26 211129 113262 082817 211324 2016-17 VEEK PK OPERATOR \$150.00 Total for Check: 111201 \$53,325.26 **HUDSON BOILER & TANK CO** 8960 2 SHEETS EPDM GASKET MAT \$213.00 211310 Total for Check: 111202 \$213.00 HYMAN, JEFFREY 23852 211326 CONT BD-113 S COUNTY LINE \$31,800.00 Total for Check: 111203 \$31,800.00 IL CITY/COUNTY MNGT ASSOC 210954 **ILCMA & IAMMA DUES** 080917 \$152.73 Total for Check: 111204 \$152.73 ILEAS **DUES6886** 210951 2017 ANNUAL MEMBERSHIP \$120.00 Total for Check: 111205 \$120.00 **ILLINOIS ASSOCIATION OF** 2017-409 \$29.00 211117 ITSC AWARDS BREAKFAST Total for Check: 111206 \$29.00 INDIAN RIDGE LANDSCAPING 24100 \$1,000.00 211328 CONT BD-219 E 8TH Total for Check: 111207 \$1,000.00 INDUSTRIAL ELECTRIC 250562 211235 WATER DEPT \$58.50 211236 **B-BOX REPAIR** 250566 \$58.60 211237 STREET LIGHT REPAIR PARTS 250565 \$91.72 211238 STREET LIGHT PORT REPAIRS 250567 \$72.80 211239 STREET LIGHT REPAIR PARTS 250568 \$28.25 250564 \$92.00 211240 LAMPS VILLAGE HALL

250563

250679

Total for Check: 111208

24030522

211241

211320

210952

**EM BATTERIES** 

**BATTERIES** 

INTERSTATE BATTERY SYSTEM

SHOTTING RANGE PD

\$185.00

\$100.75

\$687.62

\$219.90

Run date: 31-AUG-17

Village of Hinsdale

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	WARRANT RE	GISTER:	1633		DATE: 09/05/17
		-0101 LIV.		_	
VOUCHER	VOUCHER DESCRIPTION		INVOICE NUMBER		AMOUNT PAID
		Total for	Check:	111209	\$219.90
IRMA					
	JULY DEDUCTIBLE		SALES00	16333	\$15,772.93
211139	JUNE DEDUCTIBLE		SALES00		\$1,548.42
211139	JUNE DEDUCTIBLE				\$4,774.80
		Total for		111210	
J & L ENGRA	VING				
	COMMAND BOARD TAGS		2305		\$84.50
		Total for	Check:	111211	\$84.50
I D DEGICAL					Ψοσο
J R DESIGN 211050	CONT BD-35 ORCHARD PL		24117		\$500.00
211030	CONT BD-33 ORCHARD PL		Check:	111212	\$500.00 \$500.00
		i Otal IOI	CHECK.	111212	φ300.00
J.G. UNIFORM	<b>NS</b>				
	POLICE ADDED TO VESTS		23431		\$33.00
211110	REPAIRS & ADD POLICE LOGO		23346		\$141.00
		Total for	Check:	111213	\$174.00
JAMES J BEN	IES & ASSOC INC				
	FY 2017-18 3RD PTY REVIEW		082517		\$5,579.97
		Total for	Check:	111214	\$5,579.97
JIM MANGAN	IFLLO				
	METER READING		AUGUST	2017	\$135.00
			Check:		\$135.00
ISN CONTRA	CTORS SUPPLY				
	MARKING PAINT-CAUTION TAP	).	81130		\$145.20
211220	WARRING FAIRT-GAGTION FAI		Check:	111216	\$1 <b>45.20</b>
		i Otal i Oi	Oncon.	111210	ψ1+0.20
	TRUCTION CORP				,
	HOT PATCH		28494		\$288.54
	HOT PATCH		2994		\$157.78
211161	HOT PATCH		2976		\$333.41
211317	ASPHALT-4 LOCATIONS		3283		\$140.41
		Total for	Check:	111217	\$920.14
KATHLEEN W	BONO CSR				
211093	A-28-17 122 WALNUT ST		7525		\$292.00
211094	H-04-2017 441 E THIRD ST		7524		\$286.00
		Total for	Check:	111218	\$578.00
KEN'S LANDS	CAPING				
211170	CONT BD-21 E EIGHTH		23917		\$500.00
		<b>Total for</b>		111219	\$500.00

Run date: 31-AUG-17 Village of Hinsdale Page: 14
WARRANT REGISTER: 1633 DATE: 09/05/17

	DATE: 09/05/			
VOUCHER	VOUCHER DESCRIPTION	INVO NUM		AMOUNT PAID
<b>KH KIMS TA</b> I 211273	E KWON DO SUMMER CLASSES 6/14-8/23	1161 <sup>1</sup> <b>Total for Chec</b>	15-A 2017 <b>k: 111220</b>	\$544.50 <b>\$544.50</b>
<b>KIEFER, BRI</b> 211165	DGET CONT BD-605 N VINE ST	23978 Total for Chec		\$6,000.00 <b>\$6,000.00</b>
211308	PE,JENKINS LTD LEGAL FEES THRU 7/31/17	19099 Total for Chec	90-190998 <b>k: 111222</b>	\$19,439.10 <b>\$19,439.10</b>
211124 211125		175 177 Total for Chec	k: 111223	\$600.00 \$900.00 <b>\$1,500.00</b>
<b>KOJO INC</b> 211404	SUMMER CODING CLASS	14 Total for Chec	k: 111224	\$1,347.50 <b>\$1,347.50</b>
KRAMER FO 211394 211394 211394	BEVERAGES & SNACKS BEVERAGES & SNACKS	7011 7011 7011 <b>Total for Chec</b>	k: 111225	\$25.13 \$17.60 \$58.39 <b>\$101.12</b>
<b>KUMAR, PRA</b> 211333	ASNANT KLM SECURITY DEP-EN170819	23450 Total for Chec		\$500.00 <b>\$500.00</b>
<b>LAGUNAS, M</b> 211331	IARIA KLM SECURITY DEP-EN170818	23406 Total for Chec		\$500.00 <b>\$500.00</b>
	RECYCLING SYS RECYCLING AT KLM-JOHNS	16771 Total for Chec		\$736.00 <b>\$736.00</b>
LINCHPIN SE 211267	O KLM MARKETING	1374 Total for Chec	k: 111229	\$400.00 <b>\$400.00</b>
210938	EX HESSE, INC DETERGENT & SOFTENER	53573 Total for Chec		\$285.96 <b>\$285.96</b>

Run date: 31-	AUG-17 Village	e of Hinso	lale		Page: 15
	WARRANT RE	EGISTER:	1633		DATE: 09/05/17
	VOUCHER		INVOICE	<u>.</u>	AMOUNT
VOUCHER	DESCRIPTION		NUMBER		PAID
LOTKA, KIM					
211330	STMWR BD-2 S QUINCY	Total for	23129 Check:	111231	\$7,940.00 <b>\$7,940.00</b>
********		i Otal IOI	Clieck.	111231	Ψ1,340.00
MACH 1, INC 211051	CONT BD-335 E SEVENTH		23796		\$1,700.00
211001	33.1. BB 333 E 32.VE.VIII	Total for	Check:	111232	\$1,700.00
MACKINNON,	MILLIE				
211334	KLM SECURITY DEP-EN170820		23399		\$500.00
		Total for	Check:	111233	\$500.00
MANDARINO,					
211053	CONT BD-433 SKIPPING STON		24121 Check:	444004	\$500.00
		i otal for	Cneck:	111234	\$500.00
	SPORTSWEAR		42000		¢455.40
211218	VOH APPAREL	Total for	13228 Check:	111235	\$455.10 <b>\$455.10</b>
MADOUGOU N	AADIK D	i otal ioi	O HOOK.	111200	<b>V</b> 100110
MARCUCCI, N 211060	CONT BD-14 GLENDALE		21751		\$5,000.00
211061	STMWR BD-14 GLENDALE		21750		\$4,757.00
		Total for	Check:	111236	\$9,757.00
MCCANN IND	USTRIES, INC				
211229	HYDRAULIC HOSES		07225591		\$533.59
		Total for	Check:	111237	\$533.59
MENARDS					
211395	WATER PIPE		70019		\$13.97
211396	SUPPLIES		71339		\$36.99
211397	TOOLS		77493		\$200.73
211398	KLM-ELECTRICAL		76045		\$148.56
211399	TARP & STRAPS		75803		\$16.04 \$453.04
211400	WOOD RETURN	Total for	58760	111238	\$152.91- <b>\$263.38</b>
		i Otal IOI	CHECK.	111230	Ψ <b>2</b> 03.30
MICRO CENT	· · · · · · · · · · · · · · · · · · ·				
211009	3 HDD MOUNTS & CRUCIAL		4238785		\$120.96
211010	DISPLAY ADAPTERS/CABLES	<b>^</b> -	4240616		\$69.95
211370	WIRELESS KEYBOARD & MOUS	SE.	4245241		\$19.99
211371	2 MONITORS DUAL STAND	T-4.16	4250478	444060	\$304.95
		i otal for	Check:	111239	\$515.85
MICROSYSTE	MS, INC.				
211258	ANNUAL PERMIT SCANNING		77326		\$5,976.90
		Total for	Check	111240	\$5 976 <b>9</b> 0

77326 Total for Check: 111240 \$5,976.90 **\$5,976.90** 

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	WARRANT RE	EGISTER:	1633		DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION		INVOICE NUMBER		AMOUNT PAID
MIMI NAPLET	ON COLLINS				
211178	STMWR BD-46 S COUNTY LINE		24101 Check:	111241	\$9,450.00 <b>\$9,450.00</b>
MINER ELEC					
210949	MOVE RADAR FROM SQUAD	Total for	263571 Check:	111242	\$175.00 <b>\$175.00</b>
MOLFESE, JO	SEPH		· ·		
211188	STMWR RD-516 N LINCOLN	Total for	22108 Check:	111243	\$11,341.00 <b>\$11,341.00</b>
MONROE TRI	JCK EQUIPT CO				
	TARP & SPILL SHIELD		74778		\$2,141.00
211270	TARP & SPILL SHIELD	Total for	74778 Check:	111244	\$697.00 <b>\$2,838.00</b>
MORTENSON	ROOFING CO				
211318			8133		\$394.00
211318	KLM & WATER PLANT REPAIR		8133		\$366.00
		Total for	Check:	111245	\$760.00
MOTOROLA S	SOLUTIONS				
211120	STARCOMM AUGUST FEES		30639629		\$34.00
		Total for	Check:	111246	\$34.00
MUTUAL AID	BOX ALARM SYST				
210942	TIER 2 CREDENTIALING		T2000247		\$5.00
		Total for	Check:	111247	\$5.00
NAPA AUTO I		•			
211222			4343-508		\$64.95
211222			4343-508		\$124.52
211222	STOCK ORDER		4343-508		\$49.66
211222	STOCK ORDER		4343-508		\$11.51
211222	STOCK ORDER		4343-508		\$5.98
211222	STOCK ORDER		4343-508		\$33.64
211233	SWITCH		4343-507		\$19,99 \$43.36
211234	HYD OIL	Total for	434-5075 Check:		\$43.26 <b>\$353.51</b>
NATIONAL SE	ED				
211106	GRASS SEED		568714SI		\$99.00
211106	GRASS SEED		568714SI		\$198.00
		Total for	Check:	111249	\$297.00

**NEOPOST USA INC** 

Run date: 31	e of Hinsdale	Page: 17	
•	WARRANT RI	EGISTER: 1633	DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION	INVOICE NUMBER	AMOUNT PAID
211305	STUFFER MACHINE REPAIR	1001450 Total for Check: 111250	\$310.00 <b>\$310.00</b>
NEUCO INC 211142 211143 211304	KLM HVAC REPAIR KLM NEW STAT ALCOVE ROBBINS PK REPAIR-DRYER	2561365 2569106 2580485 Total for Check: 111251	\$112.95 \$101.44 \$102.45 <b>\$316.84</b>
<b>NEW PIG</b> 211155	2 BOXES DRIP PANS	22214260-00 Total for Check: 111252	\$111.88 <b>\$111.88</b>
<b>NORMANDY</b> 211054	CONSTRUCTION CONT BD-415 PHILLIPPA	23884 Total for Check: 111253	\$6,000.00 <b>\$6,000.00</b>
NUCO2 INC 211276 211277 211283	CYLINDER RENTAL CHEMICALS CHEMICALS	53134758 53233407 53093603 Total for Check: 111254	\$37.30 \$196.18 \$164.72 <b>\$398.20</b>
OUTDOOR U 211180	PGRADES CONT BD-513 W CHICAGO	24066 Total for Check: 111255	\$900.00 <b>\$900.00</b>
PACANOWSI 211148	<b>(I, JASON</b> MILEAGE REIMBURSEMENT	MAY-AUG Total for Check: 111256	\$69.12 <b>\$69.12</b>
PHELPS, DAI 211048	NIEL CONT BD-241 FULLER RD	24143 Total for Check: 111257	\$500.00 <b>\$500.00</b>
<b>PLATINUM P</b> 211056	OOLCARE CONT BD-300 E INDUSTRIAL	238782 Total for Check: 111258	\$3,700.00 <b>\$3,700.00</b>
211251	IPMENT LEASING BUCKET TRUCK RENTAL	25800-01 Total for Check: 111259	\$100.00 <b>\$100.00</b>
<b>PRAX AIR</b> 211198	KLM SECURITY DEP-EN170811	23438 Total for Check: 111260	\$500.00 <b>\$500.00</b>
PRESCIENT	SOLUTIONS INC		

Run date: 31-AUG-17 Village of Hinsdale				Page:	18	
	WARRANT RE	GISTER:	1633		DATE: 09/05/1	7
VOUCHER	VOUCHER DESCRIPTION		INVOICE NUMBER		AMOUNT PAID	
211007	8-15 TO 9-14 IT SVC CON	Total for	0617075 Check:	111261	\$14,666.66 <b>\$14,666.66</b>	
<b>PRO SAFETY</b> 211232	FUEL CAN FUNNELS	Total for	2/840690 Check:	111262	\$16.00 <b>\$16.00</b>	
PROVEN BUS 211008	INESS SYSTEMS COPIER MAINTENANCE	Total for	413017 Check:	111263	\$3,600.00 <b>\$3,600.00</b>	
QUENNEVILL 211181	E, JOEL CONT BD-335 E SEVENTH ST	Total for	23608 Check:	111264	\$10,000.00 <b>\$10,000.00</b>	
QUENNEVILL 211185	E, JOEL ST MGMT-335 E SEVENTH ST	Total for	23609 Check:	111265	\$3,000.00 <b>\$3,000.00</b>	
R CARLSON 8 211171	SONS CONT BD-400 E OGDEN	Total for	23957 Check:	111266	\$2,000.00 <b>\$2,000.00</b>	
210997 211287	ON CO INC AMMO 380 & 9MM UNIFORMS	Total for	1741923- 1742669- Check:	·IN	\$1,060.00 \$656.59 <b>\$1,716.59</b>	
REBRAG INC 211184	ST MGMT-5617 S ELM	Total for	23708 Check:	111268	\$3,000.00 <b>\$3,000.00</b>	
<b>REBRAG, INC</b> 211176	CONT BD-113 S COUNTY LINE	Total for	23764 Check:	111269	\$3,500.00 <b>\$3,500.00</b>	
REBRAG, INC 211177	ST MGMT-113 S COUNTY LINE	Total for	23120 Check:	111270	\$3,000.00 <b>\$3,000.00</b>	
REBRAG, INC 211190	STMWR BD-835 S VINE	Total for	16692 Check:	111271	\$2,026.00 <b>\$2,026.00</b>	
<b>REBRAG, INC</b> 211191	ST MGMT-835 S VINE	Total for	16693 <b>Check</b> :	111272	\$3,000.00 <b>\$3,000.00</b>	

Run date: 31-AUG-17 Village of Hinsdale Page: 19
WARRANT REGISTER: 1633 DATE: 09/05/17

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	WARRANT RE	GISTER:	1633		DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION		INVOICE NUMBER		AMOUNT PAID
<b>RECG, LLC</b> 211167	CONT BD-741 E 8TH ST	Total for	23473 Check:	111273	\$10,000.00 <b>\$10,000.00</b>
<b>RECG, LLC</b> 211175	ST MGMT-741 E 8TH ST	Total for	23472 Check:	111274	\$3,000.00 <b>\$3,000.00</b>
REPUBLIC SE	RVICES #551				
211121	PUBLIC SERVICE ROLLOFF		0551-013 0551-013 Check:	581497	\$153.68 \$696.32 <b>\$850.00</b>
DOMEOVII I E	FIRE ACADEMY				
	RICO SEPT 11-15-SKIBBENS		2017-367 Check:		\$560.00 <b>\$560.00</b>
RYDIN SIGN 8	R DECAL				
211250	CONSTRUCTION PARKING	Total for	335071 Check:		\$592.71 <b>\$592.71</b>
SAFE-GUARD	BASEMENT TECH				
	CONT BD-327 E THIRD		23918 Check:	111278	\$900.00 <b>\$900.00</b>
SCHRIBER, S	ARAH				
	KLM SECURITY DEP-EN170810		24502 Check:	111279	\$250.00 <b>\$250.00</b>
SERVICE FOR	RMS & GRAPHICS				
	BUSINESS CARDS		161809		\$50.18
	BUSINESS CARDS		161859		\$53.18
		Total for	Check:	111280	\$103.36
CHEDIA/INI IA/II	_LIAM-WESTMONT				
211322	TRAFFIC PAINT		6210-1		\$400.47
211022		Total for		111281	\$400.47
210931	PLASTIC DIRECTIONAL SIGNS		SN195-52	0575	\$114.00
210931	CONSTRUCT SIGNS-A FRAME		SN195-52		\$454.00
210932	CONOTROCT CICHO-ATTOWNE	Total for	Check:		\$568.00
CITE ONE LA	NDSCAPE SUPPLY				
211150	FERTILIZER		82147186	3	\$123.10
211162	SPRINKLER HEAD REPAIR		82137615		\$5.37
211263	SPRINKLER HEADS-RESTORAT	ΓΕ	82053703		\$55.98
2200		Total for		111283	\$184.45

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Village of minsuale			Page: 20
	WARRANT I	REGISTER: 1633	DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION	INVOICE NUMBER	AMOUNT PAID
SKYHAWKS	SPORT ACADEMY IN		
210990	FLAG FOOTBALL CAMP	17135	\$1,119.60
210991	FLAG FOOTBALL CAMP	17134	\$1,012.50
210992	CAMPS-SOCCER/BASKET/BA	SE 17133	\$1,864.55
210994	FLAG FOOTBALL CAMPS	17131	\$186.60
210995	CAMP-SOCCER/BASKET/BAS	E 17132	\$1,159.80
		Total for Check: 111284	\$5,343.05
SMITH & WA	RREN		
211115	RETIRED PO BADGE	A682150	\$163.82
		Total for Check: 111285	\$163.82
SOCIAL STU	DIES CLUB		
211194	KLM SECURITY DEP-EN1706 <sup>2</sup>	14 24504	\$250.00
		Total for Check: 111286	\$250.00
SOUTH SIDE	CONTROL SUPPLY		
210946	KLM HVAC CONTROL	S100406309.001	\$205.64
		Total for Check: 111287	\$205.64
SPORTS R U	S	•	
211282	CRAFT CAMP & BASKETBALL	2238	\$624.00
211202		Total for Check: 111288	\$624.00
STREICHERS	5		
210996	BODY ARMOR	I1272588	\$119.98
210999	FIAT GEAR BERLAND	I1272666	\$434.99
211000	FIAT GEAR BERLAND	11272690	\$37.98
211288	BALLISTIC VESTS	11273367	\$1,250.00
211294	FIAT GEAR BERLAND	l1273546	\$399.93
211295	FIAT GEAR BERLAND	11273362	\$723.00
		Total for Check: 111289	\$2,965.88
THE HINSDA	LEAN		•
210956	#V-06-17 PUBLIC HEARING	2274	\$187.20
211216	#A-29-2017 PUBLIC HEARING		\$259.05
211217	#H-05-2017 PUBLIC HEARING		\$141.90
		Total for Check: 111290	\$588.15
THE LAW OF	FICES OF		
211098	LEGAL	H-8-17-2017	\$400.00
		Total for Check: 111291	\$400.00
THE STATE F	FIRE MARSHAL		
210957	ELEVATOR CERTIFICATE	5125085752	\$150.00
210957	ELEVATOR CERTIFICATE	5125085752	\$75.00
210957	ELEVATOR CERTIFICATE	5125085752	\$75.00

Run date: 31-AUG-17 Village of Hinsdale Page: 21

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	WARRANT R	EGISTER: 1633	DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION	INVOICE NUMBER	AMOUNT PAID
210958 210958	ELEVATOR CERTIFICATE ELEVATOR CERTIFICATE	5125085748 5125085748 Total for Check: 111292	\$37.50 \$37.50 <b>\$375.00</b>
THE W-T GR0 211242	OUP, LLC SVC TOLLWAY CONST PROJ	CE17063-3 Total for Check: 111293	\$2,835.00 <b>\$2,835.00</b>
THOMAS, KE 211224	ITH OVERPYMT AMBULANCE SVC	DOS05132017 Total for Check: 111294	\$11.79 <b>\$11.79</b>
<b>TOSHIBA BU</b> 210953	SINESS KLM COPIER	13852500 Total for Check: 111295	\$122.45 <b>\$122.45</b>
211113	ING SOLUTIONS 9/17/17-9/16/18 WEB WATCH 1YR MAINTENANCE PAYBOX	103939 103938 Total for Check: 111296	\$960.00 \$1,380.00 <b>\$2,340.00</b>
<b>TPI BLDG CC</b> 211158	DDE CONSULTANT  3RD PARTY PLUMBING INSPE	C 201707 Total for Check: 111297	\$2,300.00 <b>\$2,300.00</b>
210959	STREET SIGN MATERIALS	89873 90062 90029 90030 Total for Check: 111298	\$327.55 \$678.35 \$561.50 \$168.00 <b>\$1,735.40</b>
<b>TREES R US</b> 211286	INC ELM INOCULATION SVC	20996 Total for Check: 111299	\$18,371.10 <b>\$18,371.10</b>
<b>TRITON ELEC</b> 211111	CTRONICS, INC CALIBRATION ON RADARS	7353 Total for Check: 111300	\$508.00 <b>\$508.00</b>
TUFF SHED, 211052	INC CONT BD-513 W CHICAGO	24000 Total for Check: 111301	\$500.00 <b>\$500.00</b>
<b>UAAC</b> 211147	REFUND-CANCELLED EVENT	081817 Total for Check: 111302	\$150.00 <b>\$150.00</b>

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Ruii date. 31	-AUG-17 Village	e of minso	iale		Page: 22
	WARRANT RI	EGISTER:	1633		DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION		INVOICI NUMBE		AMOUNT PAID
UDANI, SHAI	LEE				
211261	REFUND-POOL PARTY CANCE	L Total for	167536 Check:	111303	\$199.00 <b>\$199.00</b>
UNIQUE APP	AREL SOLUTIONS				
210934	STATION PANTS		43547		\$112.00
210935			43362		\$284.00
210936	STATION WEAR		43355		\$69.00
		Total for		111304	\$465.00
UPS STORE					
210960	MAIL BADGE IN FOR REPAIR		081117		\$17.00
210000	WIN THE BY TO SEE THAT OF THE FAIR	Total for	Check:	111305	\$17.00
		i Otal IOI	Oncok.	111000	Ψ11.00
US GAS					•
210941	OXYGEN CYLINDER RENTAL		291578		\$23.25
211123	MEDICAL OXYGEN		281206		\$110.86
211307	2 MED OXYGEN REFILLS		281549		\$33.00
		Total for	Check:	111306	\$167.11
USA BLUE B	OOK				
211101			331069		\$277.36
211151	SAMPLE MATERIA-BPO#B0428	1	328162		\$424.71
	5, W. 12 W. 12 C. W. 13 C. 12	Total for		111307	\$702.07
VAYUVEGUL	A SATISH				
211327	CONT BD-536 N VINE		24065		\$3,250.00
211021	CONT BB CCC IN VIIVE	Total for		111308	\$3,250.00
					40,200.00
VERIZON WIF					
210948	IPADS & MDT'S		9790062		\$377.33
210948	IPADS & MDT'S		9790062		\$213.08
		Total for	Check:	111309	\$590.41
VILLAGE TRU	JE VALUE HDWE				
211112	CO DETECTORS FOR SQUADS	3	211680		\$69.56
		Total for		111310	\$69.56
WAREHOUSE					•
WAREHOUSE			0545000		<b>#</b> 400.40
210947	OFFICE SUPPLIES		3545080		\$100.19
210998	USB MEMORY		3560443		\$24.00
211243	OFFICE SUPPLIES		3584135		\$355.36 \$433.03
211280	POOL JANITORIAL SUPPLIES KLM OFFICE SUPPLIES		3582940 3579351		\$133.93 \$180.80
211281 211284	OFFICE SUPPLIES		3588864		\$189.80 \$455.99
211284 211290	OFFICE SUPPLIES OFFICE SUPPLIES		3566864		\$455.99 \$131.75
211290	OFFICE SUPPLIES		3588854		\$151.75 \$15.92
211399	OFFICE SUPPLIES		3588854		\$296.16
211000	OF FIGE GOLF LILE		5555554	•	Ψ230.10

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Null uate. 31-	AUG-17 Village	oi minsu	ale		1 age. 25
	WARRANT RE	GISTER:	1633		DATE: 09/05/17
VOUCHER	VOUCHER DESCRIPTION		INVOICE NUMBER		AMOUNT PAID
211391 211392 211393	OFFICE SUPPLIES OFFICE SUPPLIES POOL JANITORIAL SUPPLIES	Total for	3588844- 3583915- 3465824- Check:	0	\$53.24 \$149.33 \$119.10 <b>\$2,024.77</b>
WATER PROF	DUCTS-AURORA				
211105	HYDRANT REPAIR PART	Total for	0274911 Check:	111312	\$114.40 <b>\$114.40</b>
<b>WESCON UNI</b>	DERGROUND				
211248	EMERGENCY MAINBREAK REP		17-4040 Check:	111313	\$3,093.75 <b>\$3,093.75</b>
WICKERT, GE	ORGE				
	CONT BD 124 S VINE	Total for	16817 Check:	111314	\$500.00 <b>\$500.00</b>
WIGHTMAN B					
211189	STMWR BD-502 BONNIE BRAE		23031 Check:	111315	\$4,400.00 <b>\$4,400.00</b>
WILLIAMS, RE	EBECCA				
211195	KLM SECURITY DEP-EN170812		24501 Check:	111316	\$500.00 <b>\$500.00</b>
WINGRENS L	ANDSCAPE, INC				
211169	CONT BD-113 S COUNTY LINE	Total for	23970 Check:	111317	\$1,200.00 <b>\$1,200.00</b>
WIRFS INDUS	TRIES. INC.				
	ANNUAL PUMP TEST-INSPECT		31410		\$3,851.64
211306	T84 ANNUAL PUMP TESTING	:::	31415		\$3,161.16
		Total for	Check:	111318	\$7,012.80
YIAYIAS PAN					
211012	MEAL MAIN BREAK 8/11/17	Total for	121926 Check:	111319	\$56.18 <b>\$56.18</b>
YOUNGMAN,	JAKE				
	PT BROADCAST TECH SVC	Total for	082417 <b>Check:</b>	111320	\$284.75 <b>\$284.75</b>
ZENO, LAWR	ENCE				
211182	CONT BD-34 S PARK	Total for	24116 Check:	111321	\$500.00 <b>\$500.00</b>
DUPAGE COL 211321	JNTY DIV OF PD REQUESTS SIGNS		3830		\$274.92

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Village of Hinsdale

Page: 24

**WARRANT REGISTER: 1633** 

DATE: 09/05/17

VOUCHER

VOUCHER DESCRIPTION

INVOICE NUMBER AMOUNT PAID

Total for Check: 111322

\$274.92

**REPORT TOTAL \$1,688,930.75** 

**END OF REPORT** 



AGENDA ITEM # 96
REQUEST FOR BOARD ACTION
Finance

**AGENDA SECTION:** 

Consent Agenda - ACA

SUBJECT:

Post Issuance Tax Compliance Report

**MEETING DATE:** 

September 5, 2017

FROM:

Darrell Langlois, Assistant Village Manager/Finance Director

#### Recommended Motion

Move to Accept and Place on File the Post-Issuance Tax Compliance Report

#### **Background**

In August 2012 the Village Board adopted a Bond Recordkeeping Policy based on the advice of Chapman and Cutler, Village Bond Counsel. The purpose of the policy is to document due diligence practices related to the Village's tax exempt bond issues. As the designated Compliance Officer, on an annual basis I am required to issue a report to the Village Board indicating whether or not the Village is in compliance with various policies.

#### **Discussion & Recommendation**

Attached is the report I have prepared indicating that, to the best of my knowledge, the Village is in compliance with all policies and laws related to all tax exempt bond issues of the Village.

#### **Budget Impact**

None

#### Village Board and/or Committee Action

This item was discussed at the Village Board meeting on August 15, 2017 whereby it was the consensus to place this item on the consent agenda for September 5, 2017.

#### **Documents Attached**

1. Amendment to Agreement Between the Village of Hinsdale and Aptean, Inc.

STATE OF ILLINOIS	)
	) SS
COUNTY OF DUPAGE	)

#### POST-ISSUANCE TAX COMPLIANCE REPORT

To: President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties, Illinois

Pursuant to my responsibilities as the Compliance Officer as set forth in a Bond Record Keeping Policy (the "Policy") adopted by the President and Board of Trustees (the "Board") of the Village of Hinsdale, DuPage and Cook Counties, Illinois (the "Village"), on the 7th day of August, 2017, I have prepared this report after reviewing the Village's contracts and records to determine whether the Tax Advantaged Obligations (as defined in the Policy), comply with the applicable federal tax requirements. In accordance with the proceedings and agreements under which the Tax Advantaged Obligations were issued, the Village has covenanted generally to take all action necessary to comply with the applicable federal tax rules and regulations relating to the Tax Advantaged Obligations, including covenants necessary to preserve the excludability of interest on the Tax Advantaged Obligations from gross income for federal income taxation purposes. The following sets forth a summary demonstrating the Village's compliance with such covenants and expectations.

- (a) *Records*. I have in my possession all of the records required under the Policy.
- (b) Arbitrage Rebate Liability. I have reviewed the agreements of the Village with respect to each issue of the Tax Advantaged Obligations. At this time, the Village does not have any rebate liability to the U.S. Treasury.
- (c) Contract Review. I have reviewed copies of all contracts and agreements of the Village, including any leases, with respect to the use of any property owned by the Village and acquired, constructed or otherwise financed or refinanced with the proceeds of the Tax Advantaged Obligations and other records. At this time, each issue of the Tax Advantaged Obligations complies with the federal tax requirements applicable to such issue, including restrictions on private business use, private payments and private loans.

IRS Examinations or Inquiries. The Internal Revenue Service (the "IRS") (d) has not commenced an examination of any issue of the Tax Advantaged Obligations. The IRS has not requested a response to a compliance check, questionnaire or other inquiry.

Based upon the foregoing, I believe that the Village is currently in compliance with the applicable tax law requirements and no further action is necessary at this time. This report will be entered into the records of the Village and made available to all members of the Board at the next regular meeting thereof.

Respectfully submitted this 7th day of August, 2017.

By Compliance Officer



AGENDA ITEM # QC

REQUEST FOR BOARD ACTION

Administration

AGENDA SECTION:

Consent Agenda - ACA

SUBJECT:

Approval of paid time off benefits for permanent part-time employees

**MEETING DATE:** 

September 5, 2017

FROM:

Emily Wagner, Administration Manager

#### **Recommended Motion**

Move to approve paid time off in the amount of 37.5 hours per fiscal year for permanent parttime employees who annually work at least 21 hours per week and have been employed with the Village of Hinsdale for at least one year.

#### **Background**

Recently, the Village has experienced challenges with recruiting, hiring and retaining part-time employees. Feedback received from candidates during the interview process and exit interviews is that applicants are seeking benefits in these part-time roles, namely paid time off. Please keep in mind that the Village's part-time employees typically work up to 29 hours per week, and full-time, non-exempt, administrative employees work 37.5 hours per week. Because the difference between the hours of a full-time and part-time employee is only 8.5 hours, the Village would like to offer pro-rated paid time off benefits to part-time employees based on the number of hours worked and tenure in the organization.

#### **Discussion & Recommendation**

The Village conducted a survey of other municipalities with regard to part-time employee benefits. The results were mixed with half of the respondents indicating that they provided benefits and half that did not. Of the communities that provide benefits, the general theme is that paid time off is provided in proportion to the number of hours worked and provided after a pre-determined period of service.

Upon consideration, the Village is recommending the following program parameters:

- Only permanent part-time employees would be eligible to accrue paid time off (this means seasonal/temporary/intern employees would not be eligible)
- Eligible part-time employees would have to work at least 21 hours per week consistently and regularly as part of their job description
- Eligible part-time employees would accrue 37.5 hours of paid time off after one year of continued service to the Village on a pro-rated basis
  - The time period of one year was selected as this is the length of the Village's probationary period
  - The amount of one week of vacation was selected because it is half of the vacation time that full-time non-exempt employees may accumulate upon hire
  - o Because part-time employees have a flexible schedule that may fluctuate between 21 and 29 hours per week, it is recommended to offer 37.5 hours for



\_all\_eligible\_part-time employees versus creating a calculation\_based\_on\_the\_ number of actual hours worked per year

- Eligible part-time employees would be required to use the paid time off by the end of the fiscal year (similar to the restriction of the use of personal time for full-time employees) as a "use it or lose it" policy
- The 37.5 hours would reset at the start of the fiscal year annually for eligible part-time employees; because eligible part-time employees would be unable to carry unused time off into the next fiscal year, the program allows these employees access to all 37.5 hours effective May 1
- Eligible part-time employees would be allowed to use this paid time off for any matter, including being sick or taking vacation
- The paid time off would be required to be used within the fiscal year to avoid an employee attempting to create a bank of hours
- Eligible part-time employees who separate employment with the Village would be paid out any unused time at the date of resignation

It is not anticipated that the Village will incur any additional overtime costs by requiring additional staffing during a part-time employee's absence. In the example of Community Service Officers (CSOs), because they cannot exceed 29 work hours in a single week due to the regulations of the Affordable Healthcare Act, the Village will not schedule additional CSOs to work more, but instead the shifts may be altered on a temporary basis. In the case of other part-time employees, such as Administrative Assistants, the Department will make accommodations and have other employees assist during the time off.

#### **Budget Impact**

Attached please find a list of permanent part-time employees, seven of whom would be eligible to receive the paid time off benefit effective immediately. If all current eligible part-time employees were paid out today at their maximum hourly accrual, the cost impact would be \$5,690. However, the odds of all seven eligible part-time employees resigning immediately and being paid out at the maximum hourly amount is very low. Additionally, the "use it or lose it" aspect of this policy prohibits eligible part-time employees from carrying over hours and creating a bank.

The Village is in the process of recruiting two permanent part-time Finance Clerks who would be eligible for this benefit should they work at the Village for at least one year. The vacation time pay out dollar amount would increase annually with any wage increases approved by the Village Board.

#### Village Board and/or Committee Action

The Village Board approved this item as a consent agenda item at the August 15, 2017, Village Board meeting.

#### **Documents Attached**

- List of permanent part-time Village employees

#### Village of Hinsdale Permanent Part-Time Positions

Department	Title	Hourly Wage	Date of Hire	Effective Immediately for Paid Time Off Benefit
Finance/Administration				
				Not eligible - under one
	Utility Billing Clerk/Cashier	\$21.00	07/25/17	year tenure
				Not eligible - under one
	Accountant	\$28.00	11/07/16	year tenure
				Not eligible - under one
	Accounts Payable	\$19.00	06/26/17	year tenure
Police				
				Not eligible - under 21
	Accreditation Manager	\$33.98	09/15/09	hours per week
				Not eligible - under 21
	Investigative Aide	\$41.96	05/10/11	hours per week
				Not eligible - under 21
	Investigative Assistant	\$20.80	01/07/13	hours per week
是一种多种的特殊的 化基础电影	Community Service Officer II	\$19.08	05/30/16	Yes
。 为 <sub>6</sub> 20 学以人的《60 学》 天	Community Service Officer II	\$19.08	04/29/15	Yes
	Community Service Officer I	\$16.56	04/15/16	Yes
	Community Service Officer I	\$16.56	08/01/16	Yes
	,			Not eligible - under one
	Community Service Officer I	\$16.56	01/30/17	year tenure
Fire				
				Not eligible - under 21
	Secretary	\$22.06	10/11/11	hours per week
				Not eligible - under 21
	Fire Prevention	\$31.85	02/06/12	hours per week
				Not eligible - under 21
	Fire Inspector	\$30.60	07/06/15	hours per week
Public Services				
				Not eligible - under one
	Mechanic's Helper	\$16.56	01/09/17	year tenure
Community Development				
	Building Inspector	\$41.14	08/09/10	Yes
其是《 <b>文学》的解析的解析</b> 《公》。	Secretary	\$18.06	03/17/16	Yes
Parks & Recreation				
				Not eligible - under 21
	Ballroom Instructor P.T.	\$20.00	12/18/87	hours per week
				Not eligible - under 21
	KLM Event Host	\$15.92	08/20/01	hours per week
				Not eligible - under 21
	KLM Event Host	\$15.64	11/01/06	hours per week
				Not eligible - under 21
	KLM Event Host	\$15.75	11/20/06	hours per week
				Not eligible - under 21
	Assistant KLM Lodge Manager	\$14.08	02/29/16	hours per week
	KLM Lodge Manager	\$21.25	04/11/16	Yes



AGENDA ITEM # 9d

REQUEST FOR BOARD ACTION

Public Services & Engineering

**AGENDA SECTION:** 

Consent Agenda - EPS

SUBJECT:

2017 Accelerated Resurfacing Construction Change Order Number 1

**MEETING DATE:** 

September 05, 2017

FROM:

Dan Deeter, PE Village Engineer

#### **Recommended Motion**

Approve "A resolution approving the 2017 Accelerated Resurfacing construction contract change order number 1 to reduce the contract value by an amount not to exceed \$19,033 to A Lamp Concrete Contractors".

#### **Background**

On June 13, 2017, the Board of Trustees awarded the 2017 Accelerated Resurfacing Construction contract to A Lamp Concrete Contractors.

### **Discussion & Recommendation**

Change orders incurred since the beginning of construction are described in Attachment A of the Resolution. Some change order quantities are based on estimates only. Final payouts will be dependent upon actual work done.

#### **Budget Impact**

The Village of Hinsdale is utilizing funds through the MIP project to pay for any additional work.

### Village Board and/or Committee Action

At the August 15, 2017 Board of Trustees meeting, the Board approved the item to be moved to the Consent Agenda.

#### **Documents Attached**

1. Resolution

#### VILLAGE OF HINSDALE

N NO.	NO	N	10	JT	LI	SO	E	R
-------	----	---	----	----	----	----	---	---

A RESOLUTION APPROVING THE 2017 ACCELERATED RESURFACING CONSTRUCTION CONTRACT CHANGE ORDER NUMBER 1 TO REDUCE THE CONTRACT VALUE BY AN AMOUNT NOT TO EXCEED \$19,033 TO A LAMP CONCRETE CONTRACTORS

WHEREAS, the Village of Hinsdale (the "Village") and A Lamp Concrete Contractors ("A Lamp") have entered into that certain Contract (the "Contract") providing for the construction of the 2017 Accelerated Resurfacing Project; and

WHEREAS, the President and Board of Trustees of the Village hereby find that the circumstances said to necessitate this Change Order were not reasonably foreseeable at the time the Contract was signed, the Change Order was germane to the original Contract as signed, and the Change Order is in the best interest of the Village of Hinsdale and authorized by law;

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

Section 1. Recital. The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

Section 2. Approval of Change Order. The Change Order is hereby approved in the form attached (Exhibit A) to this Ordinance and by this reference incorporated herein.

<u>Section 3.</u> <u>Final Determination.</u> This Resolution shall constitute the written determination required by Section 33E-9 of the Article 33E of the Criminal Code of 1961, as amended and shall be retained in the Contract file as required by said Section.

<u>Section 4.</u> <u>Execution of Change Order.</u> The Village Manager is authorized to execute the Change Order on behalf of the Village.

Section 5.	Effective Date. This resol	ution shall be in full force and effective fr	om and
after its passage ar	nd approval.		
PASSED this	day of	2017.	
AYES:			
NAYS:			
ABSENT:			
APPROVED this _	day of	2017.	
		Village President	
ATTEST:			
Village C	lerk		

# Exhibit A VILLAGE OF HINSDALE CHANGE ORDER

Project:

2017 Accelerated Resurfacing Construction

Location:

Various Streets

Contractor:

A Lamp Concrete Contractors

Change Order No. 1

Contract No. - N/A

Date: 09/05/17

Page 1 of 3

#### I. A. Description of Changes Involved:

- 1 Replacement of damaged lateral storm sewer in the vicinity of 741 S. Stough Street
- 2 Install concrete collars on utility frames.
- 3 Private sump pump / down spout connection to public storm sewer at 843 S. Washington.
- 4 Zone 1 Line Item Reconciliation
- 5 Parkway restoration behind the back of curb.
- 6 Time & Materials to fill holes in the concrete base of S. Stough Street.

#### B. Reason for Change:

- 1 Investigation while adjusting storm inlets showed that the storm sewer was damaged and impeding drainage.
- 2 Field investigation found weak support around utility structures in the street which would cause rapid deterioration of the new pavement around these structures. The addition of concrete "collars" will extend the life of the street.
- 3 Connected previously unidentified sump pump / down spout at 843 S. Washington to proposed drain tile in the public right of way. That portion of the drain tile constructed on private property was paid for by the resident. This and other sump pump connections in the vicinity will reduce nuisance sump pump discharges onto the 000- block of E. Ninth Street.
- 4 Line item reconciliation upon completion of Zone 1 (the area south of 55th Street).

Project:

2017 Accelerated Resurfacing Construction

Location:

Various Streets

Contractor:

A Lamp Concrete Contractors

Change Order No. 1 Contract No. - N/A Date: 09/05/17

Page 2 of 3

- 5 The design engineering consultant, HR Green, omitted restoration of grass areas behind the curb from the contract. Staff has coordinated unit costs for parkway reseeding and sodding at an average cost of \$15.50. The average cost for other 2017 projects range from \$14 - \$18. This is an expense that the Village would normally incur on a project. Parkway restoration is normally conducted in the fall where the weather is condusive to lawn growth.
- 6 Holes were previously placed in the concrete base to inject materials to level the slab. These holes impact the structural strenght of the surface hot mix asphalt and need to be filled to extend the life of the street.

C. Revision in Contract Price: Total Addition: \$ (19,032.80)

- 1 Addition 5,000.00 \$
- 2 Addition 7,500.00
- 3 Addition \$ 1,213.20
- 74,246.00 4 Deduction \$
- \$ 40,000.00 5 Addition
- 6 Addition \$ 1,500.00
- II. Adjustments in Contract Price:

Α. Original Contract Price: 5,504,275.00

Net (addition)(reduction) due B. to all previous Change Order

No.

Contract Price, not including C.

5,504,275.00 this Change Order

(Addition)(Deduction) to Contract Price D. due to this Change Order

(19,032.80)

E. Contract Price including this

Change Order

\$ 5,485,242.20

Project: Location: Contractor:	2017 Accelerated Resurfacing Construction Various Streets A Lamp Concrete Contractors	Change Order No. 1 Contract No N/A Date: 09/05/17
		Page 3 of 3
Accepted:		
Contractor: A	Lamp Concrete Contractors	
Ву:		
-	gnature of Authorized Representative	Date
Village of Hin	sdale:	
Ву:		
Sic	anature of Authorized Representative	Date



#### REQUEST FOR BOARD ACTION

Public Services & Engineering

AGENDA SECTION:

Consent Agenda – EPS

SUBJECT:

Alley vacation east of 829 S. Thurlow Street

**MEETING DATE:** 

September 5, 2017

FROM:

Dan Deeter, PE Village Engineer

#### **Recommended Motion**

Approve "An ordinance authorizing the vacation of a certain portion of an unimproved alley situated east of and adjoining 829 S. Thurlow Street in the Village of Hinsdale, DuPage and Cook Counties, Illinois" at a purchase price of \$21,000.

#### **Background**

The resident at 829 S. Thurlow Street has expressed interest in purchasing the portion of the alley east of and adjacent to their property.

#### **Discussion & Recommendation**

Staff has reviewed the infrastructure requirements for this alley. There are no current infrastructure conflicts on this alley. The alley has previously had vacations approved. It is not a through-alley right-of-way used for vehicle traffic. There are currently no plans for providing vehicular traffic on this alley right of way in the future. There are ComEd overhead lines within this alley. Staff recommends approval of the vacation.

A plat of vacation will be prepared upon approval of this request for recording at DuPage County. To allow for current and potential future utility use of the alley, the plat of vacation will include a utility and drainage easement across the vacated area.

#### **Budget Impact**

Included is the appraisal report establishing a fair market value for the vacated property. The appraisal established the value of the property at approximately \$24.85 per square foot. The property to be vacated contains an area of +/-850 square feet. The total appraised value of the property is \$21,000.

#### Village Board and/or Committee Action

N/A

#### **Documents Attached**

- 1. An ordinance authorizing the vacation of a certain portion of an unimproved alley situated east of and adjoining 829 S. Thurlow Street in the Village of Hinsdale, DuPage and Cook Counties, Illinois" at a purchase price of \$21,000.
- 2. Appraisal Report, Re: Appraisal of an 8.5' x 100' portion of the unnamed alley situated east and adjoining 829 S. Thurlow Street, Hinsdale, Illinois.

#### VILLAGE OF HINSDALE

ORDINANCE NO.	
---------------	--

# AN ORDINANCE AUTHORIZING THE VACATION OF A CERTAIN PORTION OF AN UNIMPROVED ALLEY SITUATED EAST OF AND ADJOINING 829 S. THURLOW STREET IN THE VILLAGE OF HINSDALE, DUPAGE AND COOK COUNTIES, ILLINOIS

**WHEREAS**, the Village of Hinsdale, DuPage and Cook Counties, Illinois (the "Village") is a duly authorized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the property owner of 829 S. Thurlow Street, Hinsdale, Illinois, which property is identified by permanent index numbers ("P.I.N.") 09-11-423-006, 09-11-434-007, and 09-11-434-008 has requested that a certain portion of an alley, as more fully described below, be vacated in order to be developed and maintained by said property owner; and

**WHEREAS**, Section 11-91-1 of the Illinois Municipal Code, 65 ILCS 5/11-91-1 *et seq.* (2007) (the "Code"), authorizes the Village to determine whether or not the public interest is served by vacating an alley, or part thereof, within its corporate boundaries, by an ordinance duly adopted by the affirmative vote of three-fourths of the trustees then holding office; and

**WHEREAS**, the Code further provides that upon vacation of an alley, or any part thereof, by the Village, title to the vacated property vest in the then owner or owners of land abutting thereon; and

WHEREAS, the Village President and Board of Trustees of the Village of Hinsdale (the "Corporate Authorities") have determined that the relief to the public from the further burden and responsibility of maintaining a certain portion of the alley, as more fully described below, and to return said portion to the tax rolls for the benefit of all taxing bodies is in the public interest.

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

- <u>Section 1.</u> <u>Recitals Incorporated.</u> The above recitals and findings are incorporated herein and made a part hereof.
- Section 2. Vacation of Unimproved Alley. Pursuant to the terms of this Ordinance, the Village shall vacate a rectangular portion approximately 8.5' x 100' of the unimproved alley situated east of and adjoining 829 S. Thurlow Street, Hinsdale, Illinois (the "Subject Property"), legally described, as follows:

Lots 33, 34, 35, and 36 in Fordham and Means Resubdivision of block 25 of Warren Keeney and Company's Subdivision, being a subdivision to the Village of Hinsdale in the southeast quarter of Section 11, Township 38 North, Range 11, East of the Third Principal Meridian, in DuPage County, Illinois

P.I.N. 09-11-423-006 09-11-423-007 09-11-423-008

**Section 3.** Plat of Vacation Approved. The Plat of Vacation, a copy of which is attached hereto as Exhibit A and made a part hereof, is approved.

Section 4. Conditions of Vacation. The Subject Property is vacated subject to any existing easement of public record for any public or private utility for the maintenance, renewal and construction or reconstruction of public and private utilities and that the Village reserves unto itself as a corporate municipality and to any public utility, its successors or assigns, the right to maintain and relocate any respective facilities in, under, across and along those parts of the public alley as herein vacated, with the right of access thereto at all times for any and all such purposes as may be reasonably required for the construction, maintenance and efficient operation of said equipment pursuant to any existing easement of public record.

Section 5. Payment of Consideration and Title to Vacated Property. Upon the vacation of the Subject Property, title thereto shall be acquired by and vest to the property owner of 829 S. Thurlow Avenue, Hinsdale, Illinois upon the payment of twenty one thousand dollars (\$21,000.00) to the Village by the property owner as fair market value for the Subject Property. The vacation of the Subject Property, and the recording of the Plat of Vacation, shall not be effective until said payment is received pursuant to Section 11-91-1 of the Code, 65 ILCS 5/11-91-1.

<u>Section 6</u>. <u>Execution of Documents</u>. The Village President, Village Clerk and all other officials are hereby authorized to take any and all action and execute any and all documents required to implement said vacation and record this Ordinance and the Plat of Vacation with the applicable county recorder of deeds upon the payment of the consideration set forth in Section 5 of this Ordinance.

<u>Section 7.</u> <u>Severability and Repeal of Inconsistent Ordinances</u>. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

•		nance shall be in full force and effect from and on in pamphlet form in the manner provided by
PASSED this	day of	, 2017.
AYES:		
NAYES:		
ABSENT:		
APPROVED this	day of	, 2017
		Thomas Cauley, Village President
ATTEST:		
		•
Christine Bruton, Villad	ne Clerk	

# C.A. BENSON & ASSOCIATES, INC. 419 North La Grange Road - La Grange Park, IL 60526 P.O. Box 157 - La Grange, IL 60525 (708) 352-6056 Fax (708) 352-6070

Julg 6, 2017

Mr. Dan Deeter Village of Hinsdale 19 East Chicago Avenue Hinsdale, IL 60521

Re: Appraisal of an 8.5'x 100' portion of unimproved alley situated east and adjoining 829 South Thurlow Street, Hinsdale, Illinois

Dear Mr. Deeter:

In accordance with your request, I have inspected the above captioned property and analyzed all pertinent factors relative to it in order to estimate its "as is" market value of the fee simple interest. The property was inspected on June 20, 2017, which is the effective date of this valuation.

The property consists of an 8.5' by 100' portion of unimproved alley located east and adjoining 829 South Thurlow Street, Hinsdale, Illinois. It contains 850 square feet and is zoned R-4, Single-Family Residential.

Based on this analysis, it is my opinion that the "as is" Market Value of the subject property as of June 20, 2017 was

# TWENTY-ONE THOUSAND DOLLARS (\$21,000)

This Appraisal Report is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. As such, it presents discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraiser is not responsible for unauthorized use of this report.

#### PURPOSE OF THE APPRAISAL:

The purpose of this appraisal is to provide my best estimate of the market value of the subject real property as of the effective date. *Market Value* is defined by the federal financial institutions regulatory agencies as follows:

Market Value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- 1. Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their own best interests;
- 3. A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- 5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

(Source: Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions (f))

INTENDED USE: The function of this appraisal is to assist the Village of Hinsdale with a possible sale of the subject.

INTENDED USER: The intended user of this appraisal report is the Village of Hinsdale.

INTEREST VALUED: Fee simple

DATE OF INSPECTION: June 20, 2017

EFFECTIVE DATE OF VALUE: June 20, 2017

DATE OF REPORT: July 6, 2017

#### APPRAISAL DEVELOPMENT AND REPORTING PROCESS: In preparing this appraisal, I have

- Inspected the subject property;
- Examined the Sidwell Plat Book to obtain the size of the subject;
- Reviewed Public Records, Flood Hazard Rate Map and pertinent real estate tax and zoning information.
- Gathered and confirmed information on comparable sales;
- Applied the Sales Comparison Approach to Value to arrive at an indicated value.

This Appraisal Report is a recapitulation of my data, analyses and conclusions. Supporting documentation is retained in my file.

COMPETENCY OF THE APPRAISER: The appraiser has the appropriate knowledge and experience to complete this assignment competently as illustrated by the Qualifications of the Appraiser statement contained within this report.

#### DESCRIPTION OF REAL ESTATE APPRAISED:

The subject property is situated in the Village of Hinsdale, approximately 20-miles southwest of the City of Chicago's Central Business District. Hinsdale is bordered by Oak Brook to the north, Burr Ridge to the south, Western Springs to the east and Clarendon Hills to the west.

Hinsdale is a residential community that has a population of 17,446 residents as of 2014 census and an average family income of \$166,605 (2015). Over the past 12 months, the average sale price of a single-family residence in Hinsdale was \$1,168,839, which is a 2.5% higher than the prior 12 month average sale price of \$1,139,787. This is a small increase and the overall trend is toward a stabilization in values.

Hinsdale is a substantially built-up community and is one of the communities in the Southern DuPage County suburbs, which include Burr Ridge, Clarendon Hills, Darien, Downers Grove, Glen Ellyn, Lisle, Naperville, Oak Brook, Oakbrook Terrace, Warrenville, Westmont, Wheaton, Willowbrook, Winfield and Woodridge. The majority of these are mid-aged to clder established communities that have reached maturity. Redevelopment of new single-family residences is occurring in Hinsdale, Clarendon Hills and Downers Grove on sites where older residences have been demolished. The overall composition of the area provides most amenities such as adequate employee base, established commercial/residential areas and municipal services, educational facilities, etc. The area hospitals include Good Samaritan, La Grange Community and Hinsdale. Hinsdale has a thriving central business district and the Oak Brook Center and Yorktown Center regional shopping malls are in nearby driving distance.

The major transportation systems include the North-South Tollway (I-355), the Tri-State Tollway (I-294) and the East-West Tollway (I-88). In addition, the Metra Commuter Trains and Pace Buses service Hinsdale.

More specifically, the subject property is located in the southwest section of Hinsdale. The immediate area is approximately 98% built-up with single-family residences of varying architectural designs in the range of 0 to 80+ years. The price range varies from \$350,000 for smaller existing single-family residences to in excess of \$1,500,000 for new custom two story residences. Many of the older, smaller residences have been torn down and redeveloped with large custom single-family residences. The immediate occupancy of the neighborhood consists of professionals, executives and white-collar workers. Maintenance level is good and there were no adverse conditions noted on the date of inspection.

Overall, the community of Hinsdale and the subject neighborhood are stable without any land changes anticipated with the exception of residential development of new single residents on lots that were previously improved with older homes. The strengths of the community include the viable central business district, the good community services, ample shopping, proximity to major transportation systems and the historically strong demand for residential, retail and office properties.

The subject property is the west 8.5' of a 17' wide unimproved alley. It has a width of 100', which is equal to the width of the adjoining residence located at 829 South Thurlow Street. It is rectangular in shape and has a calculated area of 850 square feet. It is in an R-4, Single Family Residence District which requires a minimum lot area of 10,000 square feet and 70 or 80 feet of street frontage depending on whether the site is an interior or corner parcel. The subject property is not buildable and would be of use only to the adjoining property owner. It is in a zone "X" area of minimal flooding activity per FEMA Map #17043C0903H, dated December 16, 2004.

#### ESTIMATE OF EXPOSURE TIME:

The subject property is an 8.5' x 100' section of an unimproved alley, which can only be sold to the adjoining property owner. As such, estimating a marketing time is futile as a potential sale is reliant on the adjoining property owner's willingness to buy the property. The typical marketing time for area buildable sites and single-family residences is 3 to 9 months.

#### PERMANENT INDEX NUMBER:

The subject is a section of unimproved alley, which has no permanent index number.

TOTAL 2016 ASSESSED VALUE: Not assessed

#### THREE-YEAR PROPERTY HISTORY:

According to FIRREA and the Uniform Standards of Professional Practice of the Appraisal Foundation, I am required to report and analyze any sale transactions involving the subject property during the past three years or any listing or pending sale transaction involving the subject property.

The subject is part of an unimproved alley under ownership by the Village of Hinsdale. This appraisal will be used as an estimate of market value for a possible sale of the property.

#### HIGHEST AND BEST USE ANALYSIS:

The subject consists of an 8.5' x 100' rectangular shaped portion of unimproved alley. It cannot be developed by itself and has value only to the adjoining property owner. It is my opinion that the highest and best use of the subject property is in conjunction with the adjoining residential property.

#### SUMMARY OF ANALYSIS AND VALUATION:

As indicated, the Sales Comparison Approach to Value will only be used.

#### SALES COMPARISON APPROACH TO VALUE AS IMPROVED:

Definition: A set of procedures in which a value indication is derived by comparing the property being appraised to similar properties that have been sold recently, then applying appropriate units of comparison, and making adjustments to the sale prices of the comparables based on the elements of comparison.\*

\*Source: Page 255, The Dictionary of Real Estate Appraisal, Appraisal Institute, Fourth Edition.

#### SALES COMPARISON APPROACH TO VALUE - Continued

In order to estimate the market value of the subject property by the Sales Comparison Approach, I have analyzed the following sales.

- 1. 223 South Adams Street, Hinsdale was reported sold in October 2016 for \$525,000. This is a 75 foot by 125 foot parcel zoned R-4, containing 9,375 square feet. The sales price was equal to \$56.00 per square foot.
- 2. **421 South Thurlow Street, Hinsdale** was reported sold in December 2015 for \$507,500. This is a 75 foot by 125 foot parcel zoned R-4, containing 9,375 square feet. The sales price was equal to \$54.13 per square foot.
- 3. 845 South Thurlow Street, Hinsdale was reported sold in October 2016 for \$505,000. This is a 72 foot by 125 foot parcel zoned R-4, containing 9,000 square feet. The sale price was equal to \$56.11 per square foot.
- 4. 735 South Quincy Street, Hinsdale was reported sold in October 2016 for \$675,000. This is a 100 foot by 123.5 foot parcel zoned R-4, containing 12,350 square feet. The sale price was equal to \$54.66 per square foot.

#### Commentary

The above sales were all improved with older smaller single-family residences and the sale prices were reflective of land value. Since their acquisitions, two of the existing residences have been demolished. They sold from \$54.13 to \$56.11 per square foot and averaged \$55.22 per square foot for a buildable site.

The subject consists of an 850 square foot unimproved alley that is not buildable and can only be sold to an adjoining property owner. Historical comparisons of varying size sites indicated that additional rear site area above the standard size lot contributes at a rate of 45% of the base lot. For this analysis, 45% of the \$55.22 average value of buildable site or \$24.85 per square foot is indicated.

#### SALES COMPARISON APPROACH TO VALUE - Continued

Based on the above analysis, it is my opinion that \$2-.85 per square foot is indicated for the subject property.

800 square feet @ \$24.85 per square foot =

\$21,122

INDICATED VALUE BY THE SALES COMPARISON APPROACH:

\$21,000 (rd)

#### COMMENT AND FINAL VALUE CONCLUSION:

Based on the sales data analyzed in this report, it is my cpinion that the "as is" fee simple market value of the subject property as of June 20, 2017 was

# TWENTYONE-THOUSAND DOLLARS (\$21,000)

Respectfully submitted,

C.A. BENSON & ASSOCIATES, INC.

Charles A. Benson, Jr., SRA

Illinois State Certified General Real Estate Appraiser

Licease #553.000387 (Exp. 9/30/17)

#### ASSUMPTIONS AND LIMITING CONDITIONS

- 1. This Appraisal Report is intended to comply with the reporting requirements set forth under Standard Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. It might not include full discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
- 2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
- 3. The property is appraised free and clear of any or all .iens and encumbrances unless otherwise stated in this report.
- 4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
- 5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
- 6. All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
- 7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them
- 8. It is assumed that there is full compliance with all applicable federal, state and local environmental regulations and laws unless otherwise stated in this report.
- 9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in this appraisal report.
- 10. It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority from any local, state or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
- 11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.

#### ASSUMPTIONS AND LIMITING CONDITIONS - Continued

- 12. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.
- 13. The appraiser is not qualified to detect hazardous waste and/or toxic materials. Any comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.
- 14. Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability or utility.
- 15. Any proposed improvements are assumed to be completed in a good workmanlike manner in accordance with the submitted plans and specifications.
- 16. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
- 17. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with proper written qualification and only in its entirety.
- 18. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraiser.

#### CERTIFICATION

I certify that, to the best of my knowledge and belief....

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinion, and conclusions are limited only by the reported assumptions and limiting conditions, are my personal, impartial, and unbiased professional analyses.
- I have no present or prospective interest in the property that is the subject of this report and no personal
  interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediate preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- my engagement in this assignment was not contingent upon developing or reporting predetermined results.
- my compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- my analyses, opinions and conclusions were developed, and this report has been prepared in conformity
  with the Uniform Standards of Professional Appraisal Practice.
- I have made a personal inspection of the property that is the subject of this report.
- no one provided significant professional assistance to the person signing this certification.
- the reported analyses, opinions and conclusions were developed, and this report has been prepared in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- the use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- as of the date of this report, I, Charles A. Benson Jr., have completed the requirements under the Continuing Education Program of the Appraisal Institute.

Charles A. Benson, Jr., SRA

Illinois State Certified General Real Estate Appraiser

License #553.000387 (9/30/17

#### QUALIFICATIONS OF CHARLES A. BENSON, JR.

#### **EDUCATION**

University of Wisconsin, Madison, B.B.A., 1974 Majored in Real Estate and Urban Land Economics

#### APPRAISAL COURSES SUCCESSFULLY COMPLETED

S.R.E.A. Courses 101 (1972), 201 (1976), 202 (1989) A.I.R.E.A. Course VIII (1978) Standards of Professional Practice - Parts A & B, Appraisal Institute 1998 USPAP Update - 2016-2017

#### <u>SEMINARS</u>

Residential Design and Functional Utility; Subdivision Analysis; Rates, Ratios & Reasonableness; Valuation Under Federal Lending Regulations: Appraisal of Retail Properties; Industrial Valuation: Conditions of the Chicago Real Estate Market, 2012; Fair Lending and the Appraiser: Valuation of Detrimental Conditions in Real Estate; Partial Interest Valuation – Undivided; Forecasting Revenue; Illinois Appraiser's Update – 2004 thru 2017; Professionals Guide to the Uniform Residential Appraisal Report; Appraisal Challenges: Declining Markets and Sales Concessions; The Discounted Cash Flow Model: Concepts, Issues and Applications.

#### **EXPERIENCE**

Actively engaged in the real estate appraisal business since 1975; has made appraisal of thousands of properties of various types including single family residences, apartment buildings, commercial, industrial, special use properties and vacant land.

#### **CLIENT3**

Appraisal clients include: Inland Bank, American Metro Bank, First National Bank of LaGrange, Highland Community Bank, Cathay Bank, Pacific Global Bank, Spectrum Business Services, LLC, United Trust Bank, The Village of Hinsdale, attorneys, individuals, corporations and others.

Qualified as an expert witness for the Circuit Court of Cook County and the Circuit Court of DuPage County.

#### **AFFILIATIONS**

- The Appraisal Institute Received SRA designation in April 1988.
- Holds State of Illinois Real Estate Managing Broker's License #471.011778.
- Member of the Mainstreet Organization of Realtors.
- State Certified General Real Estate Appraiser, State of Illinois, License No. 553.000387.

SIDWELL MAP (Subject Shadec in Red)

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ADDENDUM

Sidwell Map



AGENDA ITEM # 9 C REQUEST FOR BOARD ACTION Administration

AGENDA SECTION:

Agenda Section – ZPS Consent

SUBJECT:

Ordinance to Approve Disposal of Surplus Property

**MEETING DATE:** 

September 5, 2017

FROM:

Bradley Bloom, Assistant Village Manager/Director of Public Safety

#### Recommended Motion

Approve an ordinance declaring certain Village property as surplus and allowing for the disposal at an authorized electronic recycler or as directed by the Village Manager.

#### **Background**

The Village's IT department has accumulated a number of personal computers, monitors and printers that are either non-working, obsolete and have no value (see Exhibit A). State statutes require that an ordinance be passed by the Village Board declaring the property as surplus and determining the manner in which it is be disposed of. In this instance, staff believes the property to be disposed of has no value and cannot be re-purposed within the Village and therefore recommends disposing of the property through an authorized electronics recycler. The computer hard drives have been removed and will be physically destroyed by our IT staff.

#### **Discussion & Recommendation**

Village staff recommends the items included in "Exhibit A" be declared as surplus and properly disposed of.

#### **Budget Impact**

No budget impact

#### Village Board and/or Committee Action

By policy, ordinances declaring Village property as surplus are placed on the consent agenda.

#### **Documents Attached**

- 1. Ordinance declaring surplus and disposal
- Exhibit A (listing of items to be declared surplus and disposed of).

Village	of Hinsdale
<b>Ordinance</b>	No.

# An Ordinance Authorizing the Disposal of Personal Property Owned by the Village of Hinsdale

WHEREAS, in the opinion of at least a simple majority of the corporate authorities of the Village of Hinsdale, it is no longer necessary or useful to or for the best interests of the Village of Hinsdale, to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the President and Board of Trustees of the Village of Hinsdale to dispose said property using an appropriate electronics recycler;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HINSDALE:

<u>Section One:</u> Pursuant to 65 ILCS 5/11-76-4, the President and Board of Trustees of the Village of Hinsdale find that the personal property listed on the form attached (Exhibit A) to this Ordinance and now owned by the Village of Hinsdale, is no longer necessary or useful to the Village of Hinsdale and the best interests of the Village of Hinsdale will be served by its disposal.

<u>Section Two:</u> Pursuant to said 65 ILCS 5/11-76-4, the Village Manager is hereby authorized and directed to dispose of the aforementioned personal property now owned by the Village of Hinsdale using an appropriate electronics recycler.

<u>Section Three:</u> The Village Manager is hereby authorized and may direct an appropriate electronics recycler to dispose of the equipment.

<u>Section Four:</u> This Ordinance shall be in force and effect from and after its passage, by a simple majority vote of the corporate authorities, and approval in the manner provided by law.

PASSED this 5<sup>TH</sup> day of September, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2017.

Village President

ATTEST:

Village Clerk

item Type	Manufacturer	Model	Serial Number
Laptop	Acer	Atheros AR5BXB63	LXAZL0Y0837170C8EE2500
Laptop	Dell	Inspiron 6400	38391926833
Desktop	Dell	Optiplex 320	9HMLCC1
Desktop	Dell	Optiplex 320	HGMLCC1
Desktop	HP	500B MT	MXL1161HDK
Printer	HР	C8157A	MY6C5718M7
Monitor	Dell	1907FPt	CN-0DC323-71618-632-BET9
Desktop	HP	VS884UT#ABA	MXL2010FQ1
Desktop	HP	VS884UT#ABA	MXL2010FQ3
Desktop	Dell	Optiplex GX520	299642201
Desktop	Lenovo	7522P1U	MJGK669
Desktop	Lenovo	0809E6U	MJRRBX6
Desktop	Lenovo	6305B3U	MJ01825
Printer	HP	Officejet J4580 All-in-One	CN932550JM
Desktop	Dell	Optiplex 745	6VGGC1
Laptop	Dell	Latitude X300	8D01961
Laptop	Apple	Macbook	W8737CGTSZ5W
Printer	HP	4200	•
Monitor	Dell	2001FP	CN-0C0646-46633-55Q-121L
Monitor	Dell	1708FPb	CN-0F816-74261-84F-A02S
Monitor	Dell	E1905Sf	CN-0H329N-72872-07L-0H8I
Monitor	Acer	V173	ETLBY081781360F178216
Monitor	Optiquest	VS11147	Q4A065249375
Monitor	Flattron	24EC53-P	309NDLS33456
Monitor	Acer	V173	ETLBY081781360FC804216
VCR	Panasonic	AG-1980P	A1TC00267
TV	Broksonic	CTSG-8118CTC	653-5839172 A
TV	Toshiba	MD14FP1	79A56085A
Printer	Brother	HL-L2340DW	U63879K4N549465



AGENDA SECTION:

Second Reading - ZPS

SUBJECT:

Variation Request to construct certain improvements in a required yard

under the Americans with Disabilities Act -122 W. Walnut

**MEETING DATE:** 

August 15, 2017

FROM:

Robert McGinnis, Director of Community Development/Building

Commissioner

#### **Recommended Motion**

Approve an Ordinance Approving a Front and Interior Side Yard Encroachment as a Reasonable Accommodation at 122 W. Walnut Street.

#### **Background**

Staff is in receipt of a request to construct certain improvements in a Required Front and Required Interior Side Yard. This request came as a result of a field inspection done by our code enforcement officer who noticed that the work was being done without benefit of permit. According to the owner, the improvements are being constructed in order to allow a family member with accessibility issues to have the ability to enjoy a portion of the yard otherwise not accessible. According to the village attorney, the Board of Trustees (BOT) is best suited to render a decision on this matter rather than the Zoning Board of Appeal (ZBA) due to the nature of the request and the fact that the standards are different (memos attached). According to our attorney, the BOT has the ability to consider reasonable accommodation where the ZBA has strict hardship standards they need to consider.

It should be noted that while the BOT has some flexibility in determining exactly what is "reasonable" under "reasonable accommodation", according to the village attorney, the spirit and intent of the law should be considered and deference given to the applicant when considering the request.

#### **Discussion & Recommendation**

#### **Budget Impact**

N/A

#### Village Board and/or Committee Action

At their meeting of August 15, 2017, the Board of Trustees discussed the variation request. A motion was made by Trustee Byrnes with a second by Trustee Elder to have Staff prepare an ordinance for approval. The request was unanimously approved 6-0.

#### **Documents Attached**

- 1. Draft Ordinance
- 2. Memos from KTJ 7/27/17 & 8/10/17 (Provided confidentially to the Village Board)
- 3. Application and drawings

#### **VILLAGE OF HINSDALE**

<b>ORDINANCE</b>	NO.	

# AN ORDINANCE APPROVING A VARIATION FOR A FRONT AND INTERIOR SIDE YARD ENCROACHMENT AS A REASONABLE ACCOMMODATION – 122 W. WALNUT STREET

WHEREAS, the Village of Hinsdale received a request from Sandra and James Lagedrost (the "Applicants") seeking a building permit for the construction of various improvements in a required front and required interior side yard (the "Application") on property located in the R-4 Single-Family Residential Zoning District at 122 W. Walnut Street (the "Subject Property"). The Applicants seek a reasonable accommodation under the Americans with Disabilities Act ("ADA"), and the Fair Housing Act ("FHA") in the form of a variation from Section 3-110(I)(5) of the Hinsdale Zoning Code ("Zoning Code") in order to construct a patio, barbeque grill, fire feature and seat wall in the required front and interior side yards of the Subject Property (the "Requested Variation"). The Requested Variation and request for a reasonable accommodation was based on asserted limitations created by the Zoning Code requirements on the reasonable use and enjoyment of the Subject Property due to a disability of the Applicants' daughter; and

**WHEREAS**, the Subject Property is legally described in **Exhibit A** attached hereto and made a part hereof; and

WHEREAS, because the issue of whether or not the ADA or FHA require a certain result in a particular situation is primarily a legal issue regarding the application of the Village's Zoning Code, separate and apart from the responsibilities of the Zoning Board of Appeals to consider whether a request for a variation as zoning relief meets the existing standards under the Zoning Code, the matter was referred directly to the Board of Trustees for a public hearing on the Requested Variation; and

WHEREAS, on August 15, 2017, the Board of Trustees of the Village of Hinsdale held a public hearing pursuant to notice given in accordance with State law and the Zoning Code, relative to the Requested Variation; and

WHEREAS, the Board of Trustees, after considering all of the testimony and evidence presented at the public hearing, the Applicants' information regarding the unique circumstances involving the Subject Property, and the nature of the Applicants' daughter's disability, the President and Board of Trustees determined that the relief requested by the Applicants was reasonably consistent with the requirements of the ADA and FHA, and directed the preparation of an Ordinance approving the Requested Variation on a vote of six (6) in favor and zero (0) opposed.

**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 into this Ordinance by this reference as findings of the President and Board of Trustees.

SECTION 2: Findings. The President and Board of Trustees of the Village of Hinsdale find as follows: The Applicants' twenty-four year old daughter is wheelchair bound due to a degenerative genetic disease for which there is no cure. The Applicants seek to remove an existing non-conforming patio and to replace it with an expanded paver patio that will allow their daughter access to the patio, barbeque grill, and fire feature. This will be the only outdoor seating area on the Subject Property. The patio will be screened with landscaping. The patio will be accessed by an ADA compliant wheelchair ramp extending from a side door of the residence, and the patio will lead to a second pathway allowing access to the sidewalk. The next door neighbor immediately adjacent to the patio area on the Subject Property testified in support of the Application. Another neighbor testified, on behalf of herself and another neighbor, in support of the Application. Authorizing construction of the patio, barbeque grill, fire feature and seat wall on the Subject Property at the location sought by the Applicants will enhance the quality of life of the Applicants' disabled daughter, and allow her use on the Subject Property of amenities not otherwise available to her without the granting of the relief sought.

**SECTION 3**: Variation. The President and Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and Subsection 11-503(A) of the Hinsdale Zoning Code, and pursuant to the requirements of the ADA and FHA, find and determine that the Requested Variation is a reasonable accommodation to make in the specific circumstances present in this case, and hereby grant the Requested Variation to Section 3-110(I)(5) of the Zoning Code, in order to allow a 22.2 foot encroachment into the required front yard, and a 3.5 foot encroachment into the required interior side yard, for the construction of a patio, barbeque grill, fire feature and seat wall on the Subject Property, commonly known as 122 W. Walnut Street.

**SECTION 4**: Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance, and all ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**SECTION 5**: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this _	day of	2017.		
AYES:				_
NAYS:				
APPROVED b Village Clerk th		day of	2017 and attested	d by the
		Thomas K. Cauley,	Jr., Village President	
ATTEST:				
Christine M. Br	uton. Village Cle	erk		

#### **EXHIBIT A**

#### **LEGAL DESCRIPTION**

LOT 1 OF OWNER'S RESUBDIVISION OF LOT 16 IN THE RESUBDIVISION OF LOTS 5 AND 6, BLOCK 7 IN STOUGH'S ADDITION TO HINSDALE, IN SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID OWNER'S RESUBDIVISION OF LOT 16 RECORDED MARCH 6, 1947 AS DOCUMENT 516793, IN DUPAGE COUNTY, ILLINOIS.

PIN: PIN 09-01-324-001

COMMONLY KNOWN AS 122 W. WALNUT STREET, HINSDALE, ILLINOIS

## Village of Hinsdale COMMUNITY DEVELOPMENT DEPARTMENT 19 E. Chicago Avanue, Hinsdale, IL 60521 Phone: 630 789-7030 Fax: 630 789 7016 PERMIT APPLICATION

Date Rec'd 7 28-17 PD 017-6435 Parmit Foo Date Issuedr. Bond Feet OC

(above is for office use only)

IS THE HOME OLDER THAN 50 YEARS? YES " MOX

GENERAL INFORMATION

Site Addressu Zoning District: PIND Lot Dimensions: Applicant's Hame & Address (if not owner) Logal Owner's Name & Mailing Address Lagedrast Walnut Halle Janes Costs 115 had alla 3 Or Och Brook

Fax Faxi E-mails stage don't she gold met E-MAIL helpholecopy Organicom

Estimated Value of Construction: \$ 17000

Location

Conduct Sign Required: yes Description of Works replier count existing paths of white him in all sent

#### SELECT TYPE OF CONSTRUCTION

RESIDENTIAL ADDITION IN RESIDENTIAL REMODEL RESIDENTIAL NEW DECK/PATIO/OUTDOOR FP ACCESSORY STRUCTURE DRIVEWAY/FLATWORK/WALKS Require Electric yes one Aughait Concrete (garage, shed, cabana) Require Plumbing , you mo Deporative a SWIMMING POOLHOT TUB UNDERSHOUND IRRIGATION FENCE Not Tub Inground (complete plumbing section) Height Above Ground at Mosse in ROW Yes No H Corner Lat - You Structure Type (complete plumbing & yes, complete Hold (tarmiens)

#### PLUMBING OR ELECTRIC ONLY

PLUMBING ONLY ELECTRIC ONLY: Residential Upgrade Commercial Street Opening You Mo Overhead Underground Water Yap Size - Water Major Size Will excavation be haid dug - Yes . No Circulto 政权制度

electric section)

#### COMMERCIAL SELECT TYPE

COMMERCIAL ADDITION COMMERCIAL REMODEL COMMERCIAL NEW (Fire Provention will Apply) (Fan Tverneslan Unit Agent) (Face Presention Will Apply) COMMERCIAL PRINCESTOR COMMERCIAL OCCUPANCY 里地震 DEMO DNLY 1816/6, Sprintler Hood & Unita Thora Hamer of Business's princip Yessel \$\$10. 第5岁3561

#### ARCHITECT/CONTRACTORS AND SUB-CONTRACTOR DE ORMATION

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UNDER PENALTY OF INTERCTIONAL MISREPRISON AND OR PERIOR V. Londers that Teach command and/or reads this application and it is true and contest to say the method and being Largers and respective and all respective and the applicable perferences. I faither county that all enteriors and respectively or other enteriors is reasonable for an of the property are season within the rules capability of the physicist of the property are season within the rules capability of the property of the period of the property of the property of the property of the rules and the rules capability of the rules of the period of the period of the period of the rules of the rules and the rules and the rules of t

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LICANT'S SIGNATURE

DATE

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VER'S SIGNATURE - DAVE

# VILLAGE OF HINSDALE

# Application for Certificate of Zoning Compliance

You must complete all portions of this application. If you think certain information is not applicable, then write "NA." If you need additional space, then attach separate sheets to this form.

Applicant's name:	Lucy Lack
Owner's name (if different)	May Mes Logedonst
Property address:	122 L. Way+
Property legal description:	[attach to this form]
Present zoning classification	11 Single Lawly Francisco
Square footage of property:	
Lot area per dwelling:	
Lot dimensions:	
Current use of property:	Sinte South
Proposed use:	Single family dwelling Other:
Approval sought:	Building Permit Variation  Special Use Permit Planned Development Site Plan Exterior Appearance  Design Review  Other: Policy is the feathers.
Brief description of request a	nd proposal:
- Manage 1 september 1 - all the declary 1 - all the declary	
Plans & Specifications:	[submit with this form]
P	rovided: Required by Code;
Yards:	
front: interior side(s) corner side rear	

PROVIDED Application for Certificate of Zoning Compliance

- Required By Code.

Setbacks (businesses and offices):		nigans		
front: interior side(s) corner side rear others: Ogden Ave. Center: York Rd. Center: Forest Preserve:				
Building heights:				
principal building(s): accessory building(s):		and the debt of the state of th	Rise W	4
Maximum Elevations:		150 Bac		
principal building(s): accessory building(s):		1750 /10		
Dwelling unit size(s):	11/4	1710 Day	6.00	
Total building coverage:		11/50 Tale!		
- Total lot coverage:	-44		total lat	•
Floor area ratio:	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	<u>: ZCU.</u> sic )	+1+ Prince IL	
Accessory building(s):			<u>a</u>	
Spacing between buildings:	[depict on attached	[plans]		
principal building(s): accessory building(s):				
Number of off-street parking spaces required:				
Number of loading spaces required:				
Statement of applicant: I swear/affirm that the information of applicable or revocation of the Certificate of 2	elevaru information	form is true and comple from this form could be	eic Lunderstand i a basis for denial	hai ar
By: Applicant's signature				
Applicant's printed nam				
Dated 1.4 23	.2077			g Wy

# ARS

#### JURVEYING SERVICES, LLC

PLAT OF SURVEY

BASIS OF BEARING: SOUTH LINE OF WALNUT STREET AS MONUMENTED AND OCCUPIED PER RECORDED SUBDIVISION PLAT S 39°20'40"E(A)



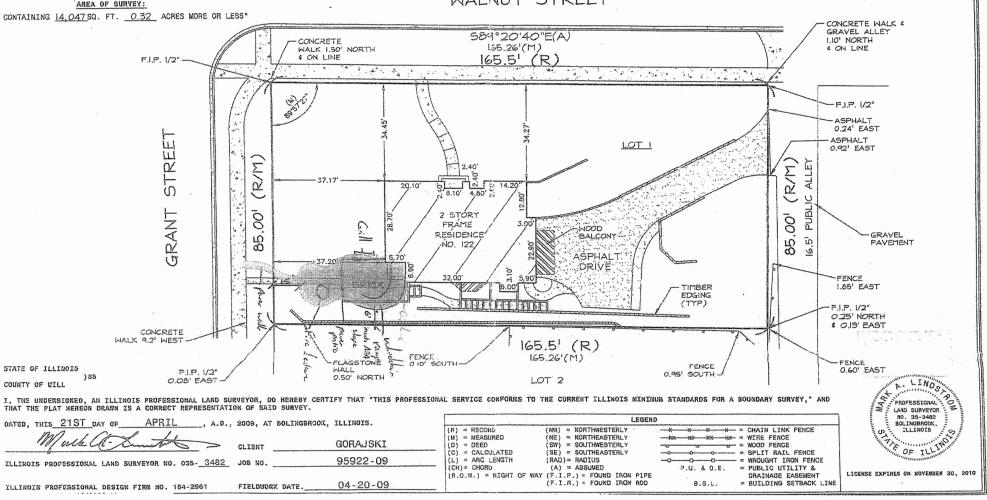
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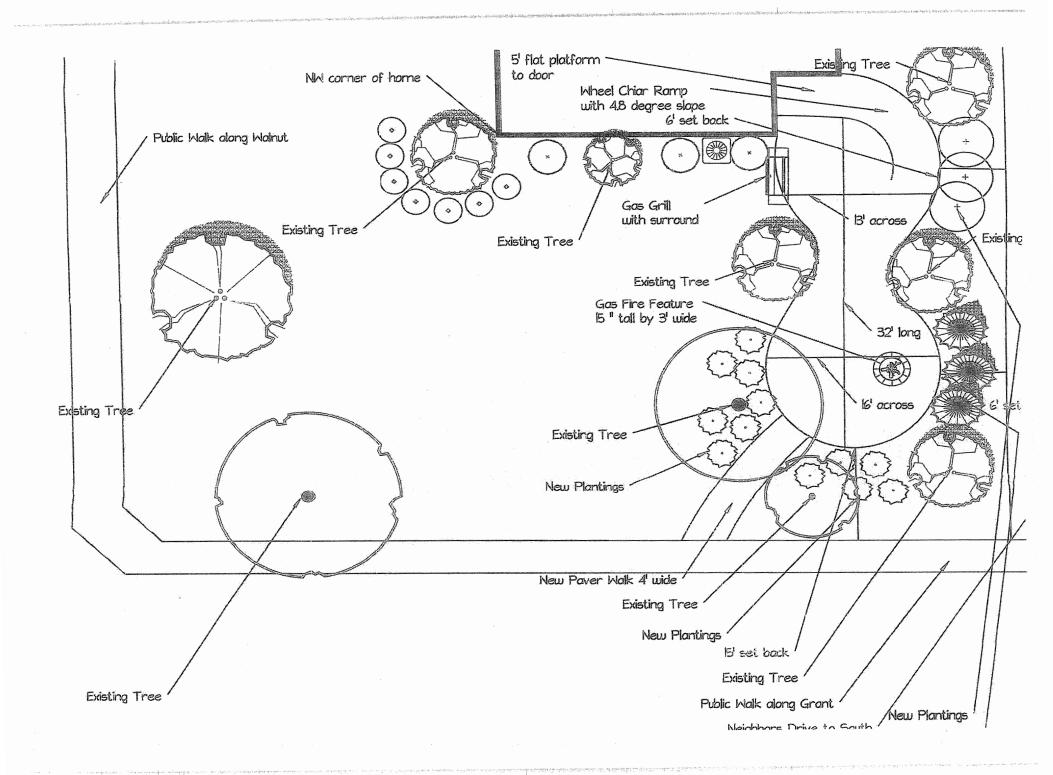
BOLINGBROOK, ILLINOIS 60440 PH:(630) 226-9200 FAX: (630) 226-9234

LOT 1 OF OWNER'S RESUBDIVISION OF LOT 16 IN THE RESUBDIVISION OF LOTS 5 AND 6, BLOCK 7 IN STOUGH'S ADDITION TO HINSDALE, IN SECTION 1, TOWNSHIP 38
NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID OWNER'S RESUBDIVISION OF LOT 16 RECORDED MARCH 6, 1947 AS DOCUMENT 516793, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SURVEY:

WALNUT STREET







# **Estimate**

Date	Estimate #
7/30/2017	450

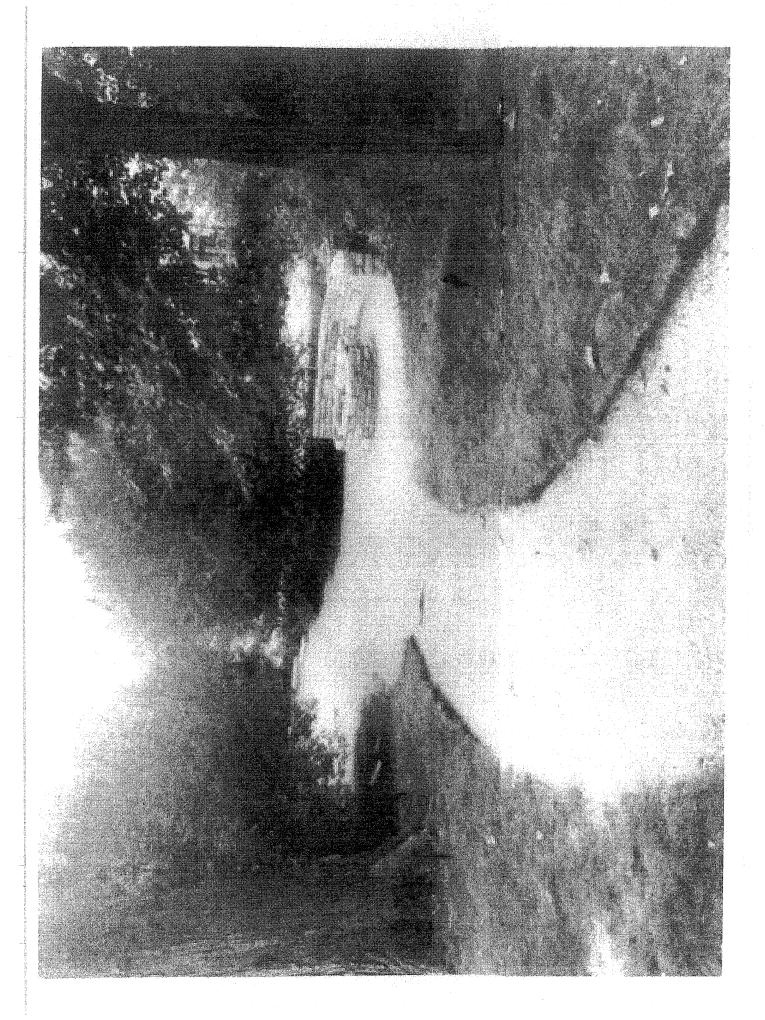
Laslo Landscaping 115 Woodland Dr. Oak Brook, IL. 60523

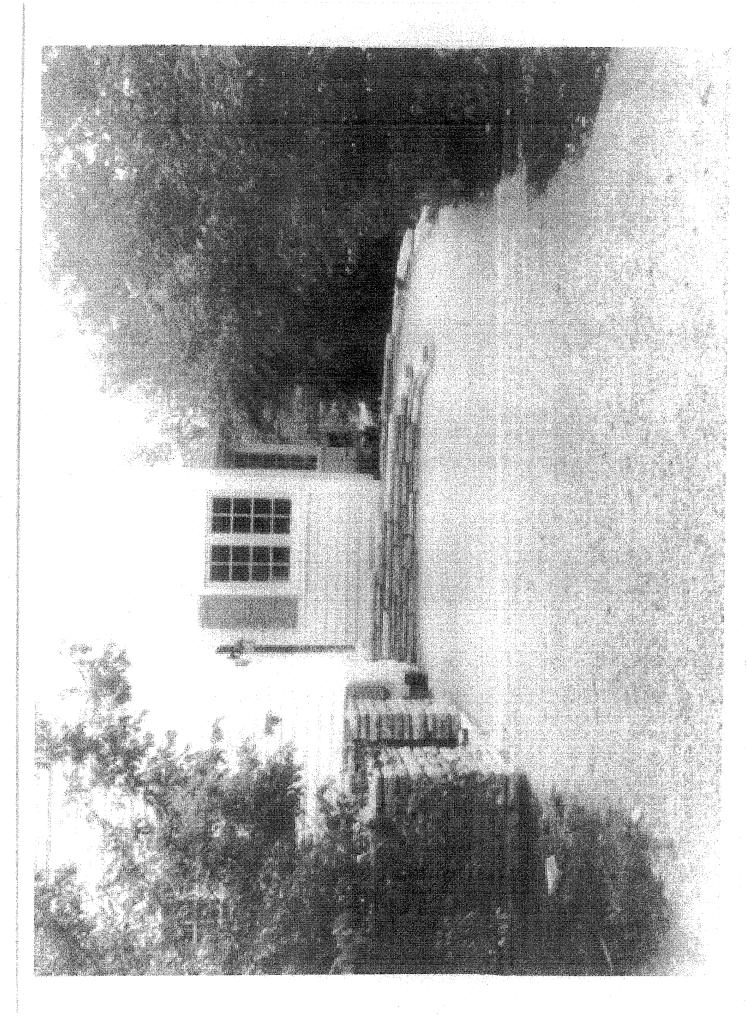
Name / Address	
Lagedrost 122 E. Walnut Hinsdale, IL. 60521	

ltem	Description	Qty	Rate	Amount
Labor	Paver Patio -remove existing 20 foot by 14 foot paver patio -dispose of original pavers		0.00	0.00
Paver Installation	-install new pavers to patio area -excavate patio extension for fire feature area -add additional 200 square feet of pavers patio to existing patio area		0.00	0.00
Brick Sidewalks	-Paver to be used Whitacre Greer North Shore Blend clay paver -add 4 foot wide paver sidewalk from patio to public walk -add wheel chair ramp from side door to patio built		0.00	0.00
fire Feature Custom haild	to ADA regulations -install gas fire feature in middle of new portion of		. 0.00	0.00
Custom build flagstone and mustan	1.095 tine 1// inco	of coping		
Hemlock 7'	-filled with black lava rock for sinders, de plant 3 Hemlock to screen patio area from neighbors house	or copin	0.00	0.00
6' Western Arborvitae	plant 3 Arborvitae to screen patio from neighbors house		0.00	0.00
Fragrant Viburnum	plant 3 along public walk to screen patio from Grant street		0.00	0.00
Annabelle Hydranga Built-in Grill	plant 5 along public walk to screen Grant street -build flagstone grill surround next to AC unit along patio		0.00 0.00	0.00 0.00
			Total	\$0.00

Lagedrost
122 V. Walnut
- Fire feature 36" wide by 15" tall
- gas line 12"
- Lilled with black lava rock

Wheelchair Ramp
- ADA compliant
- 1:12 ramp slope 4.8 degree slope
- 5 foot flat area at top and bettom







# AGENDA ITEM # 10 10 REQUEST FOR BOARD ACTION Community Development

AGENDA SECTION:

Second Reading - ZPS

SUBJECT:

Consideration of a Request for Variation-435 Woodside

**MEETING DATE:** 

September 5, 2017

FROM:

Robert McGinnis, Director of Community Development/Building

Commissioner

#### **Recommended Motion**

Approve an Ordinance Approving a Lot Size Variation for Property Located at 435 Woodside Avenue, Hinsdale, Illinois – Matt Bousquette/Kris & Tracy Parker – Case Number V-04-17

#### **Background**

In this application for variation, the applicant requests relief from the Minimum Lot Area set forth in section 3-110(E) in order to subdivide the property and create a buildable lot on Woodside Avenue. The specific request is for 9,908 square feet of relief. As the Zoning Board of Appeals has the authority to grant only up to a 10% reduction in lot area under the provisions set forth in section 11-503(E)(1)(c), the request will need to move on to the Board of Trustees as a recommendation.

#### <u>Discussion & Recommendation</u>

On June 21, 2017, following the conclusion of the public hearing, the Zoning Board of Appeals of the Village of Hinsdale ("ZBA"), on a motion by Member Podliska, seconded by Member Connelly, recommended approval of the requested variation on a unanimous vote of 6-0.

#### **Budget Impact**

N/A

#### Village Board and/or Committee Action

At their meeting of August 15, 2017 the Board of Trustees discussed the request and an offer to purchase the property in its entirety that is being prepared by the neighbors. The Board unanimously agreed to move the item forward for a Second Reading on September 5, 2017.

#### **Documents Attached**

- 1. Draft Ordinance
- 2. Approved Findings of Fact and Recommendation
- 3. Transcript
- 4. ZBA Application

#### **VILLAGE OF HINSDALE**

<b>ORDINANCE</b>	NO.	

AN ORDINANCE APPROVING A LOT SIZE VARIATION FOR PROPERTY LOCATED AT 435 WOODSIDE AVENUE, HINSDALE, ILLINOIS – MATT BOUSQUETTE/KRIS & TRACY PARKER - CASE NUMBER V-04-17

WHEREAS, The Village of Hinsdale has received an application (the "Application") seeking a lot size variation (the "Requested Variation") from Matt Bousquette, Property Owner, and Kris and Tracy Parker, Contract Purchasers (collectively, the "Co-Applicants") of the property located at 435 Woodside Avenue. The Requested Variation involves the relocation of an existing residence (the "Existing Residence") that currently straddles the lot line between the 435 Woodside property (referred to herein as the "South Lot") and property located at 444 E. Fourth Street (referred to herein as the "North Lot"), to the South Lot, which would facilitate redevelopment of the North Lot with a separate residence following a subdivision. The North Lot and South Lot together are referred to herein as the Property. The Requested Variation is sought relative to the South Lot pursuant to Section 3-110 of the Village of Hinsdale Zoning Code, in order to allow a lot of less than 30,000 square feet; and

**WHEREAS,** the South Lot is legally described in **Exhibit A** attached hereto and made a part hereof; and

**WHEREAS**, the Application has been referred to the Zoning Board of Appeals of the Village, and has been processed in accordance with the Zoning Code, as amended; and

WHEREAS, on June 21, 2017, the Zoning Board of Appeals of the Village of Hinsdale held a public hearing pursuant to notice given in accordance with State law and the Zoning Code, relative to the Requested Variation; and

**WHEREAS**, the Zoning Board of Appeals, after considering all of the testimony and evidence presented at the public hearing, recommended approval of the Requested Variation, subject to certain conditions, on a vote of six (6) in favor and zero (0) opposed; and

**WHEREAS**, the Zoning Board of Appeals has filed its report of Findings and Recommendation regarding the Requested Variation in Case Number V-04-17 with the President and Board of Trustees, a copy of which is attached hereto as **Exhibit B** and made a part hereof; and

**WHEREAS**, the President and Board of Trustees of the Village of Hinsdale have reviewed and duly considered the Findings and Recommendation of the Zoning Board of Appeals, and all of the materials, facts, and circumstances related to the Application; and

- **WHEREAS**, the President and Board of Trustees find that the Application satisfies the standards established in Section 11-503 of the Hinsdale Zoning Code governing variations.
- **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 into this Ordinance by this reference as findings of the President and Board of Trustees.
- <u>SECTION 2</u>: Adoption of Findings and Recommendation. The President and Board of Trustees of the Village of Hinsdale approve and adopt the findings and recommendation of the Zoning Board of Appeals, a copy of which is attached hereto as **Exhibit B** and made a part hereof, and incorporate such findings and recommendation by reference as if fully set forth herein.
- **SECTION 3**: Variation and Conditions. The President and Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and Subsection 11-503(A) of the Hinsdale Zoning Code, grant the Requested Variation to Section 3-110 of the Zoning Code, to allow a lot size of less than 30,000 square feet at the South Lot/435 Woodside Avenue, as legally described in **Exhibit A** attached hereto and made a part hereof, subject to the following conditions:
- 1. That the Existing Residence, currently located in part on both the North Lot/PIN 09-12-221-008, and the South Lot/PINs 09-12-221-006 and 09-12-221-009, be successfully relocated entirely to the South Lot; and
- 2. That as part of the subdivision of the collective Property on which the Existing Residence currently sits, and as part of the conveyance of the South Lot, approximately 3,000 square feet of land currently making up part of the North Lot be conveyed to the land currently making up the South Lot, for the purpose of achieving a South Lot size of approximately 20,000 square feet and an approximate 1 to 5 ratio of the square footage (or a maximum of 5,827 square feet of FAR) of the principal structure to the square footage of the overall South Lot; and
- That following the relocation of the Existing Residence, subdivision and conveyance, the Parkers, as contract purchasers, apply for landmark status for the Existing Residence.

The Variation granted by this Ordinance shall be regarded as conditional until all three (3) of the above conditions have been satisfied, and no building permits for any work on the collective Property (other than for work related to the relocation of the Existing Residence) shall issue until such time as all three (3) of the above conditions have been satisfied. Should any of the above conditions fail to be complied with, the Variation shall terminate, this Ordinance shall become null and void, and the collective Property shall

again be regarded as a single zoning lot that may only host a single residential dwelling, absent additional zoning relief.

**SECTION 4**: Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance, and all ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

**SECTION 5**: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this day of	2017.	
AYES:		
NAYS:		
ABSENT:		
APPROVED by me this Village Clerk this same day.	day of2017 and attested by	the
	Thomas K. Cauley, Jr., Village President	
ATTEST:		
Obrighting M. Dandon Villege Obrighting	· ·	
Christine M. Bruton, Village Cler	rk ·	

#### **EXHIBIT A**

#### LEGAL DESCRIPTION OF THE SOUTH LOT

LOTS 18 AND 19, TOGETHER WITH THAT PART OF THE VACATED STREET LYING EAST OF AND ADJOINING SAID LOT 19 MEASURED 33.07 FEET ON NORTH AND 33.68 FEET ON SOUTH, IN THE RESUBDIVISION OF BLOCK 8 IN WILLIAM ROBBINS' PARK ADDITION TO HINSDALE, A SUBDIVISION OF THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS 435 WOODSIDE AVENUE, HINSDALE, ILLINOIS

PINS: 09-12-221-006-0000 and 09-12-221-009-0000

# **EXHIBIT B**

# FINDINGS OF FACT (ATTACHED)

# FINDINGS OF FACT AND RECOMMENDATION OF THE VILLAGE OF HINSDALE ZONING BOARD OF APPEALS TO THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES

ZONING CALENDAR NO. V-04-17

APPLICATION: For a Lot Size Variation from Section 3-110 of the

**Village of Hinsdale Zoning Ordinance** 

CO-APPLICANTS: Matt Bousquette, Property Owner & Kris & Tracy

Parker, Contract Purchasers

PROPERTY OWNER: Matt Bousquette

PROPERTY: 435 Woodside Avenue, Hinsdale, Illinois

HEARING HELD: June 21, 2017

SUMMARY OF REQUEST AND RECOMMENDATION: The Village of Hinsdale has received a request from Matt Bousquette, Property Owner, and Kris and Tracy Parker, Contract Purchasers (collectively, the "Co-Applicants") of the property located at 435 Woodside Avenue for a lot size variation (the "Requested Variation"). The Requested Variation involves the relocation of an existing residence (the "Existing Residence") that currently straddles the lot line between the 435 Woodside property (referred to herein as the "South Lot") and property located at 444 E. Fourth Street (referred to herein as the "North Lot"), to the South Lot, which would facilitate redevelopment of the North Lot, following a subdivision, with a separate residence. The North Lot and South Lot together are referred to herein as the Property. The Requested Variation is sought relative to the South Lot pursuant to Section 3-110 of the Village of Hinsdale Zoning Code, in order to allow a lot of less than 30,000 square feet.

Following a public hearing held on June 21, 2017, the Zoning Board of Appeals of the Village of Hinsdale ("ZBA") recommended approval of the Requested Variation on a unanimous vote of six (6) in favor and zero (0) opposed, with one (1) member absent.

**PUBLIC HEARING:** At the public hearing on the Requested Variation held on June 21, 2017, Kris Parker, one of the Applicants, testified that he and his family had a contract to purchase the Existing Residence on the Property, and had been renting and living in the Existing Residence since December, 2016. The Existing Residence was designed by architect Harold Zook, and is approximately 4,100 square feet in size.

Mr. Parker testified that the Property is currently 50,000 square feet and that unless the Existing Residence is allowed to be relocated to the South Lot, and the North Lot is then allowed to be separately developed, the Existing Residence will be demolished, because it is unrealistic for anyone to take on the mortgage payment and tax burden of owning a 4,100 square foot home on a 50,000 square foot lot. He further testified that

the Existing Residence is in desperate need of a new foundation and will need to be elevated to accommodate those repairs, or located to a new foundation elsewhere on the Property. Mr. Parker also testified that current owner of the Property, Matt Bousquette, regularly receives offers for the Property as a single lot from people who would tear down the Existing Residence and build a much larger home on the Property. Mr. Parker testified that the South Lot, once subdivided from the North Lot, would be the second largest lot on Woodside, and that the Parkers would be pursuing landmark status of the Existing Residence in the future once it is relocated. In response to an inquiry from Chairman Neiman, Mr. Parker stated that if the Requested Variation is approved, the Parker's will commit to pursue landmark status for the Existing Residence.

Co-Applicant Matt Bousquette testified that during the period of 2004 to 2017, every single home on Woodside other than on certain properties owned by him were demolished and rebuilt as a new house, or expanded to the maximum allowable size of the structure on the lot. Mr. Bousquette purchased the Property as a place for his family to live while his house on a neighboring lot was being renovated. In November, 2016, the renovations were complete, and he and his family moved next door to 448 E. Fourth Street and put the Existing Residence on the Property up for rent. He discussed his plan to reposition the Existing Residence to the South Lot so that the North Lot could be separately developed, his approach of the Village about that idea, and the efforts he and the Parkers undertook to reach out to people in the neighborhood about their plan. Mr. Bousquette testified that the Requested Variation would not negatively affect the character of the neighborhood, would actually enhance property values in the neighborhood, and would not increase traffic on Woodside. He further testified that 90% of the people who had signed a petition opposing the Requested Variation had lots that do not meet the minimum lot size set forth in the Zoning Code, and that economics dictate that if the Requested Variation is not granted, he will be left with no alternative but to demolish the Existing Residence and to sell the Property for development of a single large residence.

Dennis Parsons, architect for the Co-Applicants, testified to the ability of the Co-Applicants to move the Existing Residence and to position it on the South Lot in conformance with all bulk standards, should the Requested Variation be granted. The Existing Residence is proposed to be moved 100 feet, rotated 180 degrees, and placed on a new foundation. The lot is to be regraded, and a new driveway and new utilities will be installed. Staff confirmed that based on a preliminary review, lot area is the only bulk standard for which a variation is needed if the Existing Residence were to be repositioned on the South Lot.

Attorney Mark Daniel, on behalf of the Co-Applicants, asserted that the various standards for a variation have been met in this case. The practical difficulty involves the preservation of the Existing Residence despite the economic circumstances of an existing small home on a large lot, and the fact that the Residence needs a new foundation. The unique physical conditions include the irregularly-shaped lot, the architectural significance of the Existing Residence, the flow of water on the Property

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that goes through the original foundation and into the basement of the Existing Residence, and the history of subdivisions on the block and in the Village. Mr. Daniel stated that the practical difficulty was not self created, but was instead the result of the history of subdivisions and development on the Property in 1929 that resulted in a 50,000 square foot lot hosting a 4,100 square foot home, conditions which were not created by the Co-Applicants. Mr. Daniel further stated that the Co-Applicants would be denied substantial rights if they were denied the opportunity to relocate the Existing Residence onto a lot that, with the Requested Variation, would still be the second largest lot on the block, with what could be the smallest home on the block. Similar relief has been provided to others, and the Requested Variation is, therefore, not a special privilege, and the Existing Residence, as relocated if the Requested Variation were to be granted, would be in harmony with the surrounding neighborhood. The division of the Property will increase overall property taxes in the Village, and utilities and facilities are ample. Finally, he stated that there is no other remedy available that would preserve the Existing Residence given the economic realities of the current real estate market.

Ten (10) members of the public spoke in support of the Requested Variation. They testified to, among other things, the importance of preserving the Existing Residence, the fact that the Existing Residence would be demolished based on current real estate market economics if the Requested Variation is not granted, that the Existing Residence can be successfully relocated, and the fact that the Existing Residence helped to establish the historic district in which it is located. The Parkers real estate attorney testified to the fact that there is a binding real estate contract for purchase of the Existing Residence in effect, subject to the Requested Variation being granted.

Four (4) members of the public spoke in opposition to the Requested Variation. They testified to, among other things, the Zoning Code's statement that the R-1 District allow for lower density residential use and larger lot sizes, that approximately 3,000 square feet would need to be deeded to the South Lot from the North Lot in order for the relocated Existing Residence to meet the rear yard setback should the Requested Variation be granted, that granting the Requested Variation is likely to lead to additional similar requests, that no unique physical conditions exist on the Property, that Mr. Bousquette purchased the Property knowing it was a large lot with a smallish residence on it and likely knew the foundation had problems, that approval of the Requested Variation would give the Co-Applicants relief not previously given to anyone in the R-1 District, that the Co-Applicant's would be receiving a special privilege merely because of the significance of the Existing Residence, that granting of the Requested Variation would increase congestion on Woodside, and that no attempt to market the Property with the home as-is has been attempted, so another remedy does exist. Other concerns voiced by opponents included additional flooding as a result of an additional house, and the inconvenience of construction. Another individual testified about other homes designed by Zook that were being renovated and preserved in the area.

It was clarified by Village Staff that in order to meet the rear yard requirement on the South Lot should the Requested Variation be granted, and once the Existing Residence is relocated, it would be necessary to deed over approximately 3,000 square feet from

the North Lot to the South Lot. The deeding over of the approximately 3,000 square feet is part of the plan that has been submitted by the Co-Applicants to the Village.

There being no further questions or members of the public wishing to speak on the application, the Public Hearing was closed.

The members of the ZBA then offered their views on the Requested Variation. Following discussion, Member Podliska made a motion to recommend approval of the Requested Variation to the Board of Trustees, seconded by Member Connelly, subject to the following conditions:

- That the Existing Residence, currently located in part on both the North Lot/PIN 09-12-221-008, and the South Lot/PINs 09-12-221-006 and 09-12-221-009, be successfully relocated entirely to the South Lot; and
- That as part of the subdivision of the collective Property on which the Existing Residence currently sits, and as part of the conveyance of the South Lot, approximately 3,000 square feet of land currently making up part of the North Lot be conveyed to the land currently making up the South Lot, for the purpose of achieving a lot size of approximately 20,000 square feet and an approximate 1 to 5 ratio of the square footage (or a maximum of 5,827 square feet of FAR) of the principal structure to the square footage of the overall lot; and
- That following the relocation, subdivision and conveyance, the Parkers, as contract purchasers, apply for landmark status for the existing home.

The Parkers acknowledged that they were in agreement with all three conditions.

The vote on the motion was six (6) in favor, zero (0) opposed, and one (1) absent.

**FINDINGS:** In making its recommendation of approval, the ZBA makes the following Findings as to the Requested Variation:

- **1. General Standard:** The ZBA found that carrying out the strict letter of the provisions of the Zoning Code would create a particular hardship or a practical difficulty, based on satisfaction of the additional standards that follow below.
- 2. Unique Physical Condition: In this case, the Property consists of a unique combination of the overall lot size and the existing position of the Existing Residence itself, the architectural significance of the Existing Residence, and the fact that the Existing Residence will be relocated within the Property and will therefore be preserved. The size of the existing residence relative to the overall size of the Property, in the

opinion of the ZBA, places the Residence and Property in a position of economic conflict that can be resolved through the granting of the Requested Variation with the conditions stated.

- 3. **Not Self-Created:** A number of factors, including the large size of the Property and the size of the Existing Residence, have combined to create the current unique situation, none of which were created by the Petitioners.
- **4. Denial of Substantial Right:** The application of the strict letter of the Zoning Code provisions from which the Requested Variation is sought would deprive the owner of the right to preserve the Existing Residence.
- 5. Not Merely Special Privilege: The immediate neighborhood has lots of similar size to the South Lot, for which the Requested Variation is sought, and the relocated Existing Residence will be substantially smaller than others in the area. Even with the Requested Variation, the ratio of the Existing Residence, once relocated, to the South Lot, with the conditions specified, will be an appropriate 1 to 5 ratio. The ZBA finds that the granting of the Requested Variation, with the conditions specified herein, will not result in a special privilege.
- 6. Code And Plan Purposes: The Requested Variation would result in a use or development of the South Lot that would be in harmony with the general and specific purposes for which the Zoning Code and the provision from which the Requested Variation is sought were enacted. Specifically, the Requested Variation, with the conditions specified herein, will result in the smallest house in the immediate neighborhood being located on the second largest lot in the immediate neighborhood. The Existing Residence, which in the opinion of some members of the ZBA, defines the neighborhood, will, with the conditions specified herein, be preserved.
- 7. Essential Character Of The Area: The ZBA finds that the Requested Variation will not alter the essential character of the area. Among other things, the granting of the Requested Variation, with the conditions specified herein, may result in the landmarking of the Existing Residence, which both supporters and opponents of the Requested Variation desire to see preserved. In addition, the relocation of the Existing Residence upon approval of the Requested Variation will, with the conditions specified herein, result in the smallest house in the immediate neighborhood being located on the second largest lot in the immediate neighborhood, in harmony with the neighborhood.
- 8. No Other Remedy: The Requested Variation is the only available remedy that will realistically result in both the preservation of the Existing Residence and allow a reasonable use of the Property as a whole. The only other economically reasonable alternative is demolition of the Existing Residence and sale of the Property for construction of what is likely to be a very large new residence.

**RECOMMENDATIONS:** Based upon the foregoing Findings, the ZBA, by a vote of 6-0, recommends to the Board of Trustees the **APPROVAL** of the Requested Lot Size

Variation sought by the Co-Applicants for the Property at 435 Woodside, in the R-1 Residential Zoning District, subject to the following conditions:

- That the Existing Residence, currently located in part on both the North Lot/PIN 09-12-221-008, and the South Lot/PINs 09-12-221-006 and 09-12-221-009, be successfully relocated entirely to the South Lot; and
- That as part of the subdivision of the collective Property on which the Existing Residence currently sits, and as part of the conveyance of the South Lot, approximately 3,000 square feet of land currently making up part of the North Lot be conveyed to the land currently making up the South Lot, for the purpose of achieving a lot size of approximately 20,000 square feet and an approximate 1 to 5 ratio of the square footage (or a maximum of 5,827 square feet of FAR) of the principal structure to the square footage of the overall lot; and
- That following the relocation, subdivision and conveyance, the Parkers, as contract purchasers, apply for landmark status for the existing home.

Signed:

Robert Neiman, Chair Zoning Board of Appeals Village of Hinsdale

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COUNTY	<b>○</b> □	חוז	DACE		ss:
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BEFORE THE HINSDALE ZONING BOARD OF APPEALS

In the Matter of:
)

435 Woodside,
Case No. V-04-17.

CONTINUED REPORT OF PROCEEDINGS had and testimony taken at the hearing of the above-entitled matter before the Hinsdale Zoning Board of Appeals, at 19 East Chicago Avenue, Hinsdale, Illinois, on June 21, 2017, at the hour of 6:30 p.m.

#### BOARD MEMBERS PRESENT:

MR. ROBERT NEIMAN, Chairman;

MR. MARC C. CONNELLY, Member;

MR. KEITH GILTNER, Member;

MR. JOHN F. PODLISKA, Member;

MR. JOSEPH ALESIA, Member; and

MR. GARY MOBERLY, Member.

\* \* \* \* \*

1	ALSO PRESENT:		12
2	MS. CHRISTINE BRUTON, Deputy Village		1 had described previously as Lots 18 and 19 in
-	Clerk;		2 the Block 8 resubdivision. We will present Matt
3	R. ROBB McGINNIS, Director of		3 Bousquette, who's the owner of both the north
4		-   -	4 lot where the Zook house is currently and the
5	MR. MICHAEL MARRS, Village Attorney;		5 south lot.
}	, 3		We will also present Dennis Parsons
6	MR. MARK DANIEL, Attorney for Applicants;	7	7 very briefly to talk about code compliance. I
7	•••		don't think there's any dispute with code
8	MR. MATT BOUSQUETTE, Applicant;	9	compliance with the exception of the one
	MR. KRIS PARKER, Applicant;	08 33 28933 10	variance, which is a lot area variance, 30,000
9	MS. TRACY PARKER, Applicant;	11	square feet down to 20,000 approximately 500
10		12	square feet. We will have Joe Abel as a
11	MR. DENNIS PARSONS, Witness for	13	planner. I wil also be providing some
''	Applicants.	_ 14	testimony in this proceeding.
12		15	With that, I'd like Kris Parker to
13	CHAIRMAN NEIMAN: Let's open the Public	16	step up. I'll try to interject questions, if
14	Hearing in Case V-4-17, 435 Woodside Avenue.	17	necessary, at the end of the testimony so we can
15 16	Let me begin with a general statement, and this is surely personal opinion,	18	try to keep this efficient.
17	and if anybody else wants to weigh in here, I	19	MR. PARKER: Chairman Neiman and the
18 19	welcome the other board members.  A lot of us moved to Hinsdale	GB 33 TOP4 20	rest of the board members, I apologize in
35 31 22PA 20	because we liked the old feel of the	21	advance, this statement is a little long and
21 22	neighborhood, wasn't like other towns. Personally, I tend to err on the side of	22	odds of me gatting through it smoothly are
	11		13
1	preservation, if owners want to preserve	1	probably low. And to our friends who showed up
2	something, particularly homes of historic value.	2	to be here togight, also thank you. It means a
3	We have standards for those for variances as	3	lot to us to see you guys here and support and
4	the one being requested this evening. We have	4	confidence. Thank you very much.
5	read and digested many letters for and against.	5	There's a lot of other people who
6	The question on the variance before	6	wanted to lend their support who weren't able to
7	us is whether the applicant has met those	7	be here and whose letters weren't able to make
8	criteria in the code for the variance that would	8	it into the packet. We have copies of those
9	allow them to move the Zook house from the north	9	letters. I'll just jump into the statement in
as 17 12PV 10	lot to the south lot and then build a new home	05 J4 25P% 10	the interest of time.
11	on the north lot.	11	I'm Kris Parker, this is my wife
12	So I'd like Mr. Daniel, or the	12	Tracy. We live in the Zook house that's being
13	owners or the tenants, whomever in whatever	13	discussed here today. We live there with our
14	order you would like to tell us what explain	14	two children, Merrick, 10 years old and
15	to us, for the record, what the variance that	15	Mitchell, 7 years old and our dog Ryder, 2 years
16	you are requesting is and why you meet the	16	old. We have lived there since December 12th
17	criteria.	17	and the Zookhouse is not just a historic,
18	MR. DANIEL: Thank you, again. Tonight	18	significant and beautiful building to us. It's
19	we are going to present Kris Parker, who is one	19	indeed all of those things, but to our family
Ca 37 ESPA 20	of the tenants in the Zook house currently at	CS 14 48PD 20	the Zook house is something much more important.
21	444 East Fourth Street. He's one of the	21	It is our home,
22	contract purchasers of the Woodside lot that we	22	ive are here today because we would
44	CONTRACT PUTCHASETS OF THE WOODSIDE FOR THE FEN W. BONG	<u> </u>	· ·

- 1 like your help staying in our home and making
- 2 sure that the structure itself is around for
- 3 generations to come. I'm sure everyone feels
- 4 connected to their home and you should know that
- 5 for us this connection is a strong one.
- 6 When I was little, we visited the
- 7 Edsel Ford house, a beautiful Cotswold design in
- 8 St. Claire Shores, Michigan. I was awestruck.
- **9** The ivy-covered stone exterior and the great
- wood staircase made huge and, apparently,
  - 11 lasting impressions on me. I could hardly
  - 12 imagine having a home like that someday.
  - 13 Fast forward 35 years or so. After
  - 14 living in Hinsdale for a while, we noticed the
  - 15 Zook on 444 East Fourth while driving to a party
  - 16 on nearby County Line. A beautiful Cotswold
  - 17 just like the Edsel Ford home but right here in
  - 18 our town. What happened a couple short months
  - 19 later was something out of a movie.
- ga 35 1394 20 I'll show you guys. This is
  - 21 actually the Edsel Ford home. This is the Zook
  - 22 on Fourth Street. Similarities pretty striking.

15

- (Indicating.)
- CHAIRMAN NEIMAN: Hold it up to the
- 3 camera.

2

- 4 MR. PARKER: Our house on Monroe, which
- 5 had been on the market for 8 months and 52
- 6 showings, was finally sold with a 30-day close.
- 7 After almost six years, it was time for us to
- 8 move.
- 9 In discussing our pending search
- 38 18 18 M 10 with a friend at the gym, she mentioned that
  - 11 there was a house on Fourth we might want to
  - 12 rent while we look for something permanent. We
  - 13 checked it out and found that the house she
  - 14 suggested was that very same Cotswold we had
  - 15 been admiring from afar. We introduced
  - 16 ourselves to Matt and he gave us a tour.
  - 17 Once we had been inside, the
  - 18 infatuation of the house became a love affair.
  - 19 Matt shared his vision for saving Zook's
- 20 Cotswold. We went back to our place and quickly
  - 21 agreed this was a no mere rental, this was home.
  - We're going to hear lots of

- 1 discussion about large lot sizes being central
- 2 to the character of this town. On the surface,
- 3 I can appreciate that. This area does have
- 4 large lots. Here's one thing though. We are
- 5 not proposing to change that. We believe we
- 6 already have a lot that is perfectly in keeping
- 7 with those other ones. Heck, even 91 percent of
- 8 the people that signed the petition to preserve
- 9 lot sizes have a lot that is too small to
- conform to the 30,000 square foot requirement.
  - 11 59 percent of those people have lots that are
  - 12 smaller than what we are proposing.
  - 13 I hope the intellectual dishonesty
  - 14 of those facts troubles you as it does me.
  - 15 Worse yet, this misguided view works in direct
  - 16 opposition to preserving the character and charm
  - 17 of R-1 and greater Hinsdale.
  - 18 In simple terms, do we really want
  - 19 people that live on lots smaller than 20,000
- 33 37 3279 **20** square feet to tell other people that 20,000 is
  - 21 not enough? Maybe it's like that Groucho Marx
  - 22 guote, They don't want to belong to a club that

17

- 1 would accept them as a member.
- 2 I know there are people that want
- 3 Hinsdale to be exclusive, but I hope they could
- 4 see that they have taken things too far when
- 5 they are saying that a lot larger than their
- 6 own, hurts the character of their district. And
- 7 I pray we are not willing to let that type of
- 8 hypocrisy lead us to an interpretation of code
- 9 that could result in the loss of one of the
- on 3002200 10 prime examples of R. Harold Zook's work, the
  - 11 beautiful Cotswold on Fourth Street that my
  - 12 family loves and lives in and that was used to
  - 13 qualify R-1 as a historic district. I sincerely
  - 14 hope that we are better, smarter, and
  - 15 legitimately more respectful of our history and
  - 16 of the special thing we have here in Hinsdale
  - 17 than this would suggest.
  - 18 For starters, I hope we can all
  - 19 agree that if we are not allowed to build on the
- south lot, this house will be demolished. How
  - 21 do I know that? I know that because the owner
  - 22 is convince¢ that nobody will want to take on

- the mortgage payment and tax burden that come
- with an oversized lot of 50,000 square feet to 2
- 3 simply enjoy living in a 4,000 square foot home.
- That buyer is most definitely a unicorn existing
- only in fantasy. Even if you could find someone 5
- that is not scared off by the prodigious
- 7 mortgage and taxes that would be required to own
- both the north and south lots, he or she would
- still go running upon learning that the house,
- 09 39 52PM 10 while in otherwise outstanding condition, is in
  - desperate need of a new foundation and will need
  - to be elevated to accommodate those repairs or 12
  - located to a new foundation elsewhere on the 13
  - property. 14
  - 15 Again, as the couple that lived
  - 16 through eight months of showings to sell a home
  - that was tailor-made for young families leaving 17
  - the city and as such had a very large universe 18
  - of possible buyers, we feel very confident
- 98 39 14PM **20** telling you that the owner is correct. A 4,000
  - square foot home on a leaky foundation with 21
  - 50,000 square feet of land and the mortgage and

    - taxes that come with is not going to be a quick
  - 2 turn.
  - It's also important to understand 3
  - that Matt receives offers regularly to sell the
  - land as a single lot. These offers come from
  - people who would teardown the Zook home and
  - build a much larger house on the lot, more than
  - three times the size of the Zook home. If Matt
  - accepts one of those offers, he will make more
- money than if he sells the lot in two pieces. 03 39 4254 10
  - 11 There is that small but vocal group
  - suggesting that Matt should wait and try to sell 12
  - this house or sell it for less than it's worth 13
  - so that someone would buy it and rehab it. 14
  - Again, it's tough to view these comments as 15
  - 16 intellectually honest. Were they in Matt's
  - 17 place, would they be willing to burn through
  - their own money to wait for the unicorn buyer or
  - let go of one of their own assets for less than
- full value? I guess I just struggle to believe cs 20 35°0 20
  - that these people would be able to afford to 21
  - live in Hinsdale if they really conducted their 22

- business affairs with such little regard to
- financial reality. Either way, we should not 2
- expect that the owner is so inclined. As you
- will hear from him directly, he is not. Simply
- put, if we do not receive approval to proceed
- with our project, it is certain that the Zook 6
- house will be demolished and what a loss that 7
- would be.
- For those of you who don't know the 9
- history of this house, before Matt owned it, it 09 40 32PU 10
  - was the longtime residence of Al and Lila Self. 11
  - They were a tremendously well-liked and 12
  - 13 respected couple and they were extremely
  - generous toward their community. They endowed 14
  - many fellowships and trusts, were active and 15
  - ardent supporters of their beloved alma mater 16
  - 17 and Lila was particularly involved with the
  - 18 Hinsdale Historical Society. Her passion?
  - Documenting and preserving the great work of R. 19
- 08 40 ESPAI 20 Harold Zock.
  - 21 As Tracy and I fight to maintain
  - something of the legacy the Selfs left us, we 22

- hope that all of you will consider not only our
- obligation to repay their efforts but how
- unfortunate an irony it would be to see Lila's
- own home destroyed when there was a family
- willing to save it and to do so on their own
- dime. 6
- 7 There's some other things we hope
- 8 you will keep in mind tonight. There's a letter
- 9 of the law and a spirit of the law. None of the
- 08 41 22PM 10 zoning code you are asked to interpret is meant
  - to be used to prevent us from preserving our
  - history. None of it was meant to grant
  - 13 privilege to some at the expense of others.
  - 14 The south lot fails to conform to a
  - standard that only 8 percent of homes in R-1 15
  - district actually meet. How can it be called a 16
  - 17 standard if 92 percent of homes don't meet it?
  - 18
  - The lot we seek to buy is actually
  - the second largest on Woodside and would be the
- single largest if it had another 800 square cs 41 4521 20
  - 21 feet.
  - 22 The homes on the block are

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25

22 generally the same size as ours so we would have house that has been recognized for contributing 1 a better ratio of land to lot. In no way can significantly to the district's beloved look and 2 anyone claim this is a case of shoehorning a 3 feel. home into an undersized lot. One more thing. Matt, thank you. 4 Despite the cost you have incurred, character Approving the appeal in our case --5 we don't need to talk about. attacks you have endured and red tape that seems 6 6 The two lots, the north on Fourth to have been invented just for you, your 7 and the south on Woodside are actually more in patience should be rewarded. We know that you 9 keeping with the lot sizes on those streets than have multiple options and we are grateful that 08 42 12 23 10 the 50,000 square feet the home sits on now. An we are part of the one you chose for now. 03 43 13PM 10 argument could be made that we are simply Members of the ZBA, I hope you will share these 11 11 rightsizing these lots in order to better match sentiments and support the appeal. 12 12 13 the neighborhood. 13 In close, please allow us the use We would also be making sure that of the south lot, a lot like those around us are 14 14 this house is truly preserved by pursuing allowed to have and enjoy. Please reverse -- we 15 15 landmark status not just saving a facade or 16 don't have to talk about the village manager's 16 chimney or some other token gesture toward decision. 17 17 18 preservation. 18 Please, don't set us on a course Similarly, this house has stood for that results in another lost Zook. Please, 19 68 42 3024 20 almost 90 years without an addition and our CS 44 10PM 20 don't force our family from our home. Thank project assures it never needs one as the home 21 you. 21 22 itself is more than adequate for a family of MR. DANIEL: Just one guestion. four presently and will be even more so when 1 When you say desperately in need of sitting atop a new and finished basement, a new foundation, does that relate to water, 2 something it has never had in its history. whatever the cause is? 3 3 MR. PARKER: Yes. 4 We truly believe our project is a win for everyone, including those who came MR. DANIEL: So you have water 5 before us. It beautifies Woodside by clearing infiltration through the foundation into the 6 up an ugly collection of trees and growth and 7 basement? 7 8 MR. PARKER: Yes. replaces it with a beautiful stone and slate Zook house and manicured yard. Instead of MR. DANIEL: Okay. Thank you. remaining interrupted and unfinished, Woodside C3 44 43F11 10 MR. MARRS: Mr. Chairman, can I 29 43 2220 10 interject a comment on behalf of staff for you will now appear both more vibrant and complete. 11 11 The Zook house fits perfectly with 12 guys to keep in mind? 12 the character of Woodside and complements the 13 CHAIRMAN NEIMAN: Please. 13 stone homes that would be on either side after MR. MARRS: Okay. I don't doubt the 14 14 sincerity of the Parkers and I think they have 15 its relocation. We will be reducing not 15 every intention of moving the house, preserving 16 increasing access to Woodside by one driveway. 16 it, maybe even landmarking it so it's protected 17 We would be improving the drainage situation on 17 in the future, but I think it's important from 18 Woodside. 18 the standpoint of interpreting the variation Given all the above, I have learned 19 19 03 -S 12=1 20 standards that you keep in mind that it's not a that the project would improve the property ce 43 :32V 20 landmark structure and if you grant the values on Woodside. Makes sense, doesn't it? 21 variation, there's nothing to stop its Last, but not least, we would be protecting a

22

2 code that would prevent it from being demolished

in the future.

4 CHAIRMAN NEIMAN: No. But we could, as

5 a condition of granting the variance, put in a

6 provision that says that the Zook house, when

7 moved to the south lot, shall not be torn down;

8 correct?

9 MR. MARRS: I don't disagree with that.

on 1553290 10 I'm just pointing out that from a pure

standpoint of the standards, it's not landmarked

12 today.

13 CHAIRMAN NEIMAN: Understood. Thank

14 you, Mr. Marrs.

15 MR. PARKER: I just wanted to say that

16 we would be willing to sign something that says

17 that that is something we are committed to and I

18 have already told people and I'm a man of my

19 word. So if we are granted the variance, we are

going to be pursuing landmark status.

21 I do have a question. As you guys

22 know, we are your biggest fans. We have been at

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26

a lot of your meetings. I have never seen the

2 village attorney involved in any of the

3 variation requests. Is that --

CHAIRMAN NEIMAN: No. I think in

fairness, Mr. McGinnis frequently gives us

6 advice when we are in the middle of a variance

7 hearing and I think that's all Mr. Marrs was

pointing out. I didn't take Mr. Marrs' comment

as advocating one way or the other, he was just

20.25 44PM 10 pointing out a fact. But it's a fair concern

11 and a fair point.

12 MR. MARRS: Right. I certainly did not

13 mean to imply that the village doesn't want the

14 house preserved. That's not true.

MR. DANIEL: If I can also clarify that

16 there was no implication that efforts were not

17 made to commit us to a path of preserving the

18 Zook house.

19 Prior to submitting the request for

on the specifically interpretation, we had inquired specifically

21 about a redevelopment agreement that would

govern those two lots and that's one of the main

1 reasons why you had the first hour of testimony.

28

2 Had you bought our appeal, had you

3 accepted that issue and not dealt with the

4 vacancy question the way you did, tomorrow we

5 would have been discussing the redevelopment

6 agreement. The village would have been

7 obligated to move trees in the parkway. We

8 would have been obligated to move the Zook

9 house. I just don't want you to lose sight of

09-27-36PM 10 that --

11 CHAIRMAN NEIMAN: Mr. Daniel, can we

12 focus on the issue at hand, please? Please.

13 It's been a long evening already. We spent

14 hours reading your 68 page brief. Enough.

MR. ALESIA: It is enough. It's more

16 than enough.

17 CHAIRMAN NEIMAN: You were doing so

18 well, Mr. Daniel.

19 Mr. Bousquette, please?

MR. BOUSQUETTE: Good evening. Thank

21 you for your time. My name is Matthew

22 Bousquette. I'm here tonight as the last

29

1 attempt to save the Zook house at 444 East

2 Fourth Street by repositioning it on Woodside.

3 Two buildable lots, one on Woodside and one on

4 Fourth Street.

5 I thought that I would provide a

6 little background as to why we are here tonight.

7 In July of 2008, I purchased a lot at 445 East

8 Woodside, which is immediately adjacent to the

9 proposed lot to the Zook house. At the time, it

os as seen 10 was just an empty lot, as the seller had torn

11 down the existing house prior to my purchase.

Just to refresh everybody's memory,

13 it's this lot right here. So here's my house on

14 Fourth Street. This lot right here, this is

15 Woodside. You want to see it in a bigger

16 picture, you can see it's this lot here.

17 (Indicating.) So when we refer to 445 Woodside,

18 it's a vacant lot and that's the size of it and

19 you can see where it's located. Thank you.

Since the purchase, this lot has

remained empty. It grafts trees and a wooden

22 fence. At the same time I also purchased 448

- 30 East Fourth Street, which backed to Woodside, and they would have shared adjoining fences but 2 there's no fence. So you guys understand the two pieces the way they are together? Great. Today Woodside has served as an 5 6
- additional backyard for our house. Unlike most homes in the neighborhood, this created a large 7
- green space with trees creating a uniquely large 8
- backyard. I paid \$1,050,000 to enjoy that
- 03 :9:22:1 additional green space by that extra lot and leave it vacant. 11
  - 12 During the years 2004 to 2017, 13 while our lot on Woodside remained vacant, every single home on the Woodside block with the 14 15 Woodside address was either demolished and rebuilt as a new house or expanded. In all 16
  - cases the houses were expanded to the maximum 17
  - 18 allowable size of the structure to the lot. So just to say it again. During 19
- 20 (20 (47%) the time period from 2004 to 2017, while my lot
  - remained vacant and green, every other house on 21
  - the street with the exception of one that was
    - demolished and rebuilt to the maximum FAR with
    - 2 the exception of one which was renovated to the
  - 3 maximum FAR.
  - 4 In terms of my home purchase at 448
  - East Fourth Street, unlike the vast majority of 5
  - the homes in town, at that time I sought to 6
  - renovate the house instead of knocking it down.
  - It would have been much quicker and much cheaper
  - to knock it down and start over, however, we
- liked the way it fit in the neighborhood. 32 10 EUP 1 10 The renovation of the house took
  - 11 12 much longer than expected due to unforeseen
  - 13 circumstances, including a contractor who
  - bankrupt his company in the middle of the 14
  - 15 renovation with all the prerequisite
  - subcontractor payment issues. 16
  - While the house was under 17
  - construction, we rented a local Hinsdale house. 18
  - Unfortunately for us, it sold within the year. 19
- It then happened again. We ended up moving five 03.51 (128) 20
  - times in five years with three kids five years
  - old. It was a nightmare. And obviously that

- slowed the progress of any renovation we were
- 2 doing in our house.
- In an effort to stop the madness, 3
- we purchased 444 East Fourth Street, which is
- the Zook home, which is next door to the house
- that we were renovating. It was hopefully to
- provide us a permanent place for my family so we
- weren't moving every nine or ten months and
- hopefully was going to allow us to oversee the
- renovation and complete it much faster. 08 SI SAPM 10
  - In November of 2015, we completed 11
  - the renovation and moved next door into 448 East 12
  - Fourth Street and put 444 East Fourth Street, 13
  - 14 the Zook house, up for rent.
  - In May of 2016, I attended the 15
  - 16 historic preservation board workshop and asked
  - in the public Q & A of the board and consultant 17
  - 18 Susan Benjamin what they suggested I do
  - 19 regarding a possible repositioning of the Zook
- 09 22 1324 20 home. I was given a contact for a house mover
  - 21 by the members of the board at that time.
  - 22 In June of 2016, I presented to the
  - board of trustees and asked them if they would
  - 2 conceptually support the use of two lots to
  - reposition the Zook house if I was able to find
  - somebody to renovate it and move it because
  - obviously, it would be very time consuming to go
  - 6 down a route if they weren't in favor of it. At
  - 7 that point in time, the direction I interpreted
  - 8 was at least favorable.
  - 9 In late fall, I found a buyer, the
- 07 32 :32 N Parkers, that guaranteed to move the house and
  - 11 restore it. I signed a contract with them and
  - that's where we are in terms of the history. 12
  - 13 You should know that the Parkers
  - 14 and I conducted an outreach effort over a number
  - of months to members of the neighborhood and the 15
  - 16 community regarding our desire to reposition the
  - Zook house. Coffees, tours, drinks, food, 17
  - 18 anything anybody wanted to do. We wanted to
  - 19 make sure everybody understood and had the
- ce 53 \*52\*0 **20** opportunity to understand our motivation and
  - what the project was all about. 21
  - - Unfortunately, there were a number

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34 of people who appear to be against it who did not take us up on that opportunity. And 3 instead, they chose to use the public forum via letters and petitions to address their comments rather than discussing it with me. 5 I want you to know honestly, it 6 makes me unbelievably uncomfortable to talk in 7 public and address the comments targeted at me, my family, the aspirations, the scope of the 01 vse 16 to project, but given the amount of misinformation and disinformation that I read in some of the documents provided to you, which I also got a 12 copy of, I find myself no other alternative than 13 14 to address them in public here now. What I found was, unfortunately, 15 16 several themes. So it seemed to me that people who were not in favor of the project instead of 17 18 sitting down and spending the time with me walking through it got together to have several 19 cs 51: 124 **20** themes in terms of why it's a bad idea. The first theme -- basically the 21 first theme submitted was that it ignored everything that occurred on Woodside prior to 2 their individual purchases. They presented a position as if life started on the street when they arrived. For example, correspondence to you suggest because my home on Woodside, the Woodside lot was demolished before they moved onto the block, it shouldn't count for its historical density and the addition of another house would be unfair. 9 As I mentioned earlier, every other o. == 10 house on the street was demolished or renovated. 11 In each case, green space and trees were reduced 12 in favor of larger structures, and in each case 13 drawing construction traffic as each house 14 15 underwent construction. Now that all the houses are 16 complete, I guess what they are saying all done; 17 we are full. Sorry, no more room on the street. 18 Obviously, all I'm asking you to do is consider 19 my request in historical context of a longer 59 55 50 PM 20 period of time on Woodside. 21 The second general theme suggested 22

that the placement of the Zook house on Woodside 2 would destroy the essential character of the neighborhood. In moving the Zook house onto 3 Woodside would negatively effect the character of the neighborhood overall. I started researching from a financial and aesthetic standpoint both. Financially, I learned from several real estate 8 agents that placement of a 4,000 square foot 9 Zook home on a 20,000 square foot lot on 08 55 25P2) 10 Woodside would actually enhance the values of 11 the street not destroy them. It would be the 12 smallest house on the second largest lot. 13 14 So then I turned to the negative aestnetic possibilities and what every single 15 16 person -- as we know, everybody is entitled to their own opinion of what they like and what 18 they don't like. I admit that. 19 I have an incredibly difficult time thinking that the Zook house would be destroying 03 15 JSPN 20 the value of the neighborhood. And in 21 22 particular, and I, again, I hate to do this, but I need to give you some context. 2 One of the objections is that we would be running the neighborhood. And when we first moved into the Zook house, one morning we were awoken by a number of loud saws and we watched over a two-day period as workers deforested the lot at 425 Woodside. It was one of the most densely-wooded lots in the neighborhood, a stunning architectural 09 .3 20F4 10 significant home set deep in an unobtrusively on

down slope lot. Once the lot was striped of over a dozen mature trees and well-seasoned ornamentals, the 3,300 square foot house was 14 demolished. What followed changed our neighborhood forever. 16 The beautiful topography of the down slope lot was built up into an enormous bare mountain of dirt like you see in strip-18 19 mining operations. Then on top of the mountain for the next year was constructed a structure. 39 33 33 W 20

So at the end of two years the neighborhood now

had to contend with the structure that was a

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38 maxed out house in excess of 8,500 square feet, 1 approximately twice the size of every other home 2 on the street, towering over the neighbors on Fourth Street on its nonconforming lot. If you will permit me for one 5 second. So this was the original house as you can see on Fourth Street that was there and you 7 can see a picture of the backyard. This is it 8 9 standing on the street. You can see the down CB 57 39PV 10 slope lot of what's there. And I apologize for my pictures. Another view again from Woodside 11 of that lot. This is the aerial view of the 12 same original house on Woodside. (Indicating.) 13 This was the inside and you can see 14 the beautiful trees that you can see outside 15 each of the windows of the house. This is looking out of the kitchen into the backyard of 17 that house. We used to call it the Morton 18 Arboretum house. (Indicating.) 19 cs 31.329 20 Another picture of the same backyard looking out of the house. This is now 21 under construction. Anything green was 22 39 demolished as the house was being constructed. 1 Here is the end product. There's 2 the end product with no longer a down slope. It's about 5 or 6 feet higher and I think that the point here we were making earlier is it has created water problems for other people in the 6 neighborhood. And there it is in the back. 8 (Indicating.) Again, everybody has a right of 9 their own personal opinion on what they think is ca sa -uev 10 right or wrong but I have a difficult time 11 hearing that that contributes to the 12 neighborhood and putting the Zook house next 13 14 door to that would destroy it. MR. GILTNER: Matt, can you just point 15

out where that 425 is on there?

right here. (Indicating.)

square feet is that lot?

MR. BOUSQUETTE: Yes. It is right

MR. MOBERLY: Do you know how many

here. Here is -- 06 and 09 are the 2 lots we

are proposing to put it on. This is that house

40 MR. BOUSQUETTE: The lot, this lot is 1 400 square feet larger than what we are 2 proposing here and the house is twice the size. Or 800 square feet larger. It's 21,000. MR. MOBERLY: I'm just trying to get a 5 6 perspective. MR. BOUSQUETTE: The third theme is 7 that repositioning the Zook house would increase traffic on the relatively narrow Woodside Road. 9 I currently own a driveway on 05 59 22 PAI 10 Woodside which is shared by 444 and 448. I had 11 an additional driveway for 445 Woodside; it was 12 removed when the house was demolished. So 13 essentially right through here you can see this 14 is basically it. (Indicating.) That was a road 15 that was given to these two houses and that sort of services both of these guys. There was a separate driveway off of this lot right here 19 onto Woodside but when the house was knocked down, that was taken out. (Indicating.) CB 59 14PM 20 21 Any placement of the Zook house on Woodside should not increase the number of cars 22 as the Zook home currently already has access to Woodside from its garage. Moreover, if the 2 opportunity exists for concerned neighbors to mitigate travel by simply using their primary driveway on Sixth Street instead of the 5 secondary one on Woodside. 6 7 Frankly, it was stunning to me to read a directive that I needed to remove my 9 driveways from 444 and 448 to Woodside. In 02 23 26PV 10 fact, to the best of my knowledge, that drive's existed in that location for more than 100 11 12 years. 13 MR. MOBERLY: Who told you you had to move the drives? When was that? 14 15 MR. BOUSQUETTE: It's letters that you 16 got from neighbors suggesting that I --17 MR. MOBERLY: Okay. I'm sorry. But 18 there was no official directive from the 19 president? 57 25 47<sup>20</sup>4 20 MR. BOUSQUETTE: No. 21 MR. MOBERLY: Okay. MR. BOUSQUETTE: It's kind of the

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1 common theme when I read through the stuff it homes in the R-1 district aren't 30,000 square 2 basically says we have ours, no more room for feet. I suspect that the 20,000 square foot lot 2 3 yours and please remove it despite it's been on Woodside would probably exceed the average there a hundred years. lot in the R-1 district. Here's from doing my 5 My fourth general theme is that if own survey. Again, everybody has their own I place any structure on my land, that it will point of view. I'm just giving you mine. ruin the green views and the open spaces that 7 The fifth theme is that I lack an they currently benefit from. understanding what to do with my own property, As I noted earlier, I paid more 9 which I enjoyed that one. It appears that the 09 01 63 P/A 10 than a million dollars for the extra yard on 09 02 54PAL 10 petition crafters have done the neighbors a Woodside and kept it empty to enjoy the backyard 11 terrible disservice. It's my understanding that 11 12 greenery and mature trees. The Zook house as there is a belief that they will be able to 12 well next door came at a significant premium for 13 force my family into an end result of their 13 lots 18 and 19. Those lots -- I had to pay an 14 14 liking at the end of this. 15 additional sum to own those lots as well. 15 In the submission to the board, 16 Without question, my neighbors have there's a laundry list of specific directives on 16 17 benefited, in some cases for years, from my how and what I could do with my house. I can't 17 18 investment in 30,000 extra square feet of really think that it's appropriate to have one 19 greenery. 30,000 extra square feet of greenery. neighbor dictate every detail what the home 02 21 (384) 20 In fact, my lots are the only ones on the street should look like and even where the garage with significant amount of mature foliage left. 21 21 should go. 22 The only ones. 22 So to disband the alternative set 43 1 I thought about it -- in my own of facts and for the sake of clarity in today's mind I thought perhaps the fact that your trees real estate market, I am thrilled to have a are destroyed by making a larger house, I don't buyer who desires to save and renovate the Zook house in its entirety not the facade as it think I should be required to supplement what you destroy. If you want more trees, more land, 5 happened with the Robbins house on Sixth Street. buy it. I was kind of shocked. 6 But if the Zook house cannot be I had the opportunity to review the moved, simple economics dictate it will be 7 demolished and the land on Woodside will be petition. The first thing that popped out of my built upon and the best of my knowledge, the mind was that 90 percent of the people that C9 03 46PAI 10 69 22 22 744 10 signed the petition objecting to the Zook house village has acknowledged that this is reasonable 11 and completely legal option. Is that not true? have lots that don't meet the minimum 11 12 MR. McGINNIS: That's correct. requirement by code. 12 13 And even more interesting was the MR. BOUSQUETTE: Thank you. 13 14 majority of them have lots that are smaller than 14 The sixth theme is that the approval to reposition the Zook house will set a the one I proposed for the Zook home. And so 15 15 precedent that will have the entire Robbins that's just a lot of gobbledegook words. How do 16 district torn down as builders reap with you boil that down into something to think about 17 profits. 18 it. I thought of it as I don't want to live 18 19 next door to somebody who has what I have. And These facts don't support the 19 C3 24 55PN 20 hysteria. First, Mr. Chairman, as you have 69 32 23 PM 20 I just found that stunningly ironic. pointed out in previous meetings, each decision 21 21 I spent the -- as we know, we have

22 already talked about that 90 percent of the

is a stand-alone decision based upon unique

circumstances. 1

2 Secondly, as I'm sure you are aware for Hinsdale's own study, that there aren't that 3

many lots with the 100 by 120, plus 30,000 that 4

they could even go divide. So if somebody says 5

I want to go divide my lot in half, you are

going to need -- the frontage doesn't exist. 7

8 Moreover, the concept that hundreds

9 of houses straddle multiple lots of record and

99 24 1424 10 that each one is at least 70 by 125 in the

> Robbins R-1 district is again not factually 11

12 correct.

13 You should know, and I did this on

14 my own, so it's nonscientific. I went every

single street with the lots of record and the 15

16 zoning map and I found that there are

approximately 14 houses in total in the Robbins 17

18 historic district that would meet those

requirements that straddle 2 lots of record,

c2 :2 C2PW 20 that each lot would be at least 70 by 125 in the

R-1 district. Of those 14 homes 8 of those 21

exist very large, very new, extremely expensive 22

mansions and in one case one is under

construction. That leaves 6 lots. One of them 2

is mine. That leaves 5 others that might, I say

might, benefit from your decision should it

become precedent. 5

So there's the proclamation that we 6

stand on the edge of destruction as Hinsdale's

rebelling are slightly overstated.

The seventh theme is that I never

marketed my property appropriately and that if I 09 02 1284 10

did so, I would find a buyer for the home in its 11

current location who would be willing to buy it 12

and renovate it to the neighbors' approval and 13

of course move my driveway to Fourth Street and 14

close the other driveway and keep all the other 15

16 greenery.

8

9

It's easy to ignore the reality 17

when it doesn't cost you anything. In fact, 18

this fantasy narrative appears to be meant for 19

them to profit on their investments. 09 25 50 70 20

Here's the unfortunate facts. And 21

they are unfortunate for all of us here in

Hinsdale right now. Right now in Hinsdale there

are 41 homes for sale for more than \$2.5 2

million. In the past 4 months 5 have sold. At

that rate of sale, it would take 2 years to sell

the existing inventory of houses for sale

6 without a single new home coming on the market.

7 At \$3 million, which this would be,

things are even more dismal. There are 26 homes

for sale, one has sold in the past 3 months. At 9

that rate of sale, it would take 6 years to sell 09 05 14PM 10

the existing homes that are for sale assuming no 11

12 other home came on the market.

Further, a number of older homes 13

which finally did sell took long periods of time 14

to sell, sold significantly below the asking 15

price and more importantly, in a lot of cases 16

sold for less than the land was worth. 17

18 The submission cites you the recent

sale of the Zook house at 46 County Line as 19

20 KIRIS 12 ES proof my Zook would sell. The estate of the

> owners of the house sold the property for 70 21

percent of the list price and well below the

49

price of raw land at \$44 a foot.

2 Much has been heralded about the

Hinsdale founder's house, the Robbins' house, or

4 known as the Judy Biggert house, which after 8

months sold for 63 percent of its list price and

was sold for less than land value. And, other

than the front 2 rooms of the house, have been

destroyed and it rises behind it an enormous,

gigantic house.

6931 CPV 10 Further, I understand that the

marketing of my house was accused of being

subpar. So i thought I would look at some 12

13 marketing efforts of others to see what I was

missing. So what I did was look at older houses

in my neighborhood who were marketed by what are

considered the old-house specialists, I guess. 16

So here they are. We will start with 425

Woodside. 18

MR. PODLISKA: Sir, is this discussion

69 23 22 20 going to help us determine whether you have met

the criteria that we have to look at in order to

determine whether a variation --

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- 50 1 MR. BOUSQUETTE: Yes, it will. 2 MR. ALESIA: How? 3 MR. BOUSQUETTE: In terms of the individual criteria that -- it will go through the individual criteria in a minute. 5 MR. PODLISKA: We would appreciate it 6 7 if you go to that now because that's what we need to hear about. R 9 MR. DANIEL: 6, 7, 8 is what your 39 39 55 PM 10 testimony ties to. CHAIRMAN NEIMAN: I think what we are 11 trying to get at, Mr. Bousquette, is while the 12 13 historical background of the other lots and the real estate values may be interesting as a side 14 bar, the question before us, two and a half 15 hours into the meeting, is whether you meet the 16 8 criteria for us to grant the variance. And so 17 18 if you could get to that point so we could address the issue at hand, it would help. GB 13 47 PM 20 MR. BOUSQUETTE: I think it should tie 6, 7, 8 in the criteria. 21 CHAIRMAN NEIMAN: Okay. Please, keep 51 in mind that if it doesn't tie into it real soon, I'm going to ask you or --MR. BOUSQUETTE: So I'll sit down. 3 CHAIRMAN NEIMAN: I didn't mean to cut you off. It's just we are trying to get to the

  - substance of the issue before us. If you would
  - like to address the criteria, we would be more
  - than willing --8
  - MR. BOUSQUETTE: No. That's okay. 9
- 29 12 1729 10 I'll sit down. Thank you.
  - MR. DANIEL: At this time, I'd like to 11
  - ask Dennis Parsons to step to the podium and 12
  - just pose a handful of questions. I think 13
  - everybody knows Dennis. I'm not going to spend 14
  - your time on the introduction of background. 15
  - There is one plan that Dennis 16
  - 17 prepared that's part of the packet. It's
  - attachment G in the appeal. It is also the site 18
  - 19
- MR. PARSONS: I was approached by 22 3 17PV 20
  - Mr. Bousquette and the Parkers to see if this 21
  - would work. So we took lots 18 and 19 and we 22

- got the block offsets for Woodside per the code
- 2 and came up with a front yard of 36-foot
- 5 inches as the average setback. We put 50-foot
- rear yard, which is also the requirement in the
- R-1 district and we were able to fit the house
- on there with a 30-foot side yard on one side
- and a 28-foot side yard on the other. So it's
- well over the side yard requirements.
- Then we looked at allowable FAR and 9
- we are over a thousand square feet under on our 07 11 24PU 10
  - FAR by moving the house there, and we looked at 11
  - the building coverage and we are allowed 5,000 12
  - feet. We only cover 2,700 with the building. 13
  - 14 So we are well under all of these numbers. So
  - the density on this lot is much less than any 15
  - new house would ever be. So we felt very
  - 17 comfortable with this proposition.
  - I think the village is very 18
  - 19 fortunate to have someone who is willing to move
- this house and restore this house on their 03 11 SEPA 20
  - nickel. This is not a light undertaking. This 21
  - 22 is a major undertaking to pick this house up,

- rotate it 180 degrees and move it 100 feet up
- the hill and put it on a new foundation and to
- regrade and put a new driveway in and everything
- else that goes along, new water service, new
- sewage, everything else that goes along with
- moving this house. This is no small
- undertaking. So we should be thanking the
- Parkers for saving this house because without
- them, it's gone, and it's gone forever.
- 69 12 14PM 10 Any other questions about density
  - 11 or FAR?
  - 12 (No response.)
  - 13 MR. DANIEL: I believe Mr. McGinnis has
  - 14 also confirmed that the lot area is the only
  - issue that we are dealing with with the
  - placement of the home on the Zook house as shown
  - 17 on the site plan. I'm not sure if you want to

  - 18 confirm that with Mr. McGinnis.
  - 19 MR. MOBERLY: Confirm: Yes or no?
- G= 1, 1520 20 MR. McGINNIS: Based on preliminary
  - look, it appears to fit well within the confines 21
  - of this lot.

MR. DANIEL: At this point in time, I'd 1 difficulty when it comes to preserving the 2 like to touch on some of the general standards 2 house. that you have heard about. Are there unique physical 3 3 4 The particular hardship. You heard conditions involving the property. You have a fantastic home that is worth preserving. The about comparisons of lot size, land-to-building 5 footprint is under 2,700 square feet. You have 6 ratio. You heard about comparisons to homes in 6 a situation where the home is demolished and the an irregularly-shaped lot. You have one that 7 7 house is sold as vacant land for redevelopment, was originally a situation where in 1984 forward 8 how long the listing periods are with respect to they encountered multiple lots of record in the 2 price points, \$2 million and \$3 million. district. We have addressed that. But you have 39 13 4527 10 09 16 GZPM 10 11 CHAIRMAN NEIMAN: Mr. Daniel, could you the ability to place the Zook house on Woodside. please take us through the standards for a 12 The extraordinary physical 12 condition is related to not only the home but variation. 13 13 MR. DANIEL: It's your first standard. the location of the home and the path of the 14 14 Your first standard is particular hardship and flow of the water that is getting through the 15 foundation. You heard that from Mr. Parker. practical difficulty, Mr. Chairman, F1. 16 16 17 CHAIRMAN NEIMAN: No, the first 17 CHAIRMAN NEIMAN: Let me ask you a quick question. In Exhibit F, the statement is standard is general standard; the second is 18 18 unique physical conditions. They are spelled unique physical condition justifies the 19 19 CS 15 42PV 20 out in Exhibit F of the variance application. variances that the property was originally ss :::ses 20 subdivided well before the current code was 21 Will you, please, go through those. 21 adopted. 22 MR. DANIEL: No variation shall be 22 57 1 Could you put a little meat on that granted pursuant to this section unless the bone and explain to us how that meets the applicant shall establish that carrying out the 2 physical condition criteria? strict letter of the provisions of this code 3 MR. DANIEL: With respect to that would create a particular hardship. That is 4 condition we do have -- it's a two-part what I was on. Thank you. 5 On practical difficulty, you have a 6 question. I did not bring the 1871 plat that we 6 used in the prior case. The 1871 plat couple and a willing seller that is willing to allow the relocation of a home that everybody considered 2 homes on that lot. treasures. You heard about the background 9 In 1894, which is the second plat, 09 in tabu 10 it created 19 lots of record. At the time your 69 11 1324 10 personally to the Parkers. corner lots couldn't exceed 50 feet so the lots You heard that in this circumstance 11 11 the home needs a new foundation. This is one 12 naturally had to be joined with others. The 12 subdivision in 1894 and up to the point of 1929 13 answer for that. When it comes to practical 13 would have required 2 homes on a lot that had a difficulty in historic preservation in Hinsdale, 14 you also heard significant testimony about lots corner to the north with Oakwood Place and 15 Fourth Street and a corner to the south between sold and listings and the general effect of the 16 16 Woodside and Oakwood Place. 17 zoning ordinance on lots in the historic 17 18 So the original planning is much district. Most of them are demoed, built to the 18 19 more consistent with having two homes, one up maximum FAR behind the facade in some cases. 19 The entire block was affected according to c9:12:P0 20 north and one to the south. That's what you saw 53 15 13PV 20 in the Sailor's subdivision from 1969. Mr. Bousquette's testimony. Here you have 21

preservation. And they do face practical

In the Sailor's subdivision you

- 1 carved up essentially the west half of the block
- 2 and you put homes back to back in between the
- 3 subject property and Oak Street, the home on Oak
- 4 Street. It is unique in light of its
- 5 surroundings and internally.
- 6 Denied substantial rights. I'm
- 7 sorry, not self-created. These owners didn't
- 8 play a role in Sailor's platting the block.
- 9 These owners didn't play a role in the
- 10 redevelopment of 425. They didn't play a role
  - 11 in the development of a circumstance where 92 to
  - 12 94 percent of the R-1 lots are nonconforming and
  - 13 where they are stuck with a 50,000 square foot
  - 14 lot for one home.
  - 15 The circumstance develops from the
  - 16 history that is very likely fortuitous. We all
  - 17 recognize the encroachment of the home is de
  - 18 minimus. It exists but it's de minimus. The
  - 19 home was built in 1929 under different
- syrtys 20 conditions.
  - 21 During the variance hearing, I
  - 22 referred to a decision on where the home would

- 1 be planted on the property and the potential for
- 2 a waiver. And because the potential of the
- 3 waiver was there whether it was granted or not
- 4 meant that a rear yard didn't have to be on that
- 5 north lot. Well, those were the conditions in
- 6 1929. Those were different times. Hinsdale has
- 7 changed its code quite a bit.
- 8 What developed from 1929 forward is
- 9 not the creation of Mr. Bousquette or the
- 99.2.5% 10 Parkers. Yes, they bought the property. But
  - 11 that's about all they did. The potential for
  - 12 relocating the home is unique.
  - 13 MR. PODLISKA: Could you move on to
  - 14 denied substantial rights, please?
  - 15 MR. DANIEL: Denied substantial rights.
  - 16 You heard, again, that 8 percent of the owners
  - 17 of property in the R-1 district meet the bulk
  - 18 requirement we are trying to get a variation
  - **19** from.
- We are trying to proceed with the
  - 21 second largest lot on the block and what could
  - 22 be the smallest home on the block. The wide

- 1 area that .ve are speaking of --
- 2 MR. PODLISKA: So that it's not a
- 3 special privilege; right?
- 4 MR. DANIEL: It's not a special
- 5 privilege. It has been granted to others.
- 6 MR. PODLISKA: And it's in harmony with
- 7 the surrounding community. I think you have
- 8 established that as well.
- 9 MR. DANIEL: I believe so, yes.
- When it comes to code and plan
  - 11 purposes, I just reviewed your comprehensive
  - 12 plan, the cifficulties that you have had
  - 13 encouraging historic preservation which is now a
  - 14 voluntary matter. This house will be dedicated
  - 15 to that. That is one of the planning purposes
  - 16 contemplated overall in the comprehensive plan.
  - 17 With respect to the essential
  - 18 character of the area, there are a number of
  - 19 things that Mr. Bousquette addressed. One thing
- 652 (279) 20 he did not touch on at great length is
  - 21 stormwater but we all know the countywide
  - 22 stormwater and flood plain ordinance controls

- 1 and the village is not going to allow a
- 2 violation of that.
- 3 There is no increase in danger of
- 4 flood or fire. When it comes to taxing public
- 5 utilities and facilities in the area, those are
- 6 ample.
- 7 The lots have been separately
- 8 assigned panumbers so that there have been
- 9 three pin numbers assigned, one for what is
- essentially the north and two for the south
  - to essentially the north and two for the south
  - 11 lots. The t-vo south lots have always been
  - 12 assessed as vacant land. Those south lots will
  - 13 create a benefit to the taxing bodies in town.
  - 14 It will be vacant land plus a valuable structure
  - 15 that is separately assessed.
  - No other remedy. We have tried.
  - 17 You saw me sweating up here during the first
  - 18 part of the a ght. We tried. We have exhausted
  - 19 our efforts. There is no other remedy.
- 50 In this instance you have heard
  - 21 that Mr. Bousquette faces a decision in the face
  - 22 of a denial of to try to sell the lot at a

- 1 percentage of land value. You heard that with
- 2 regard to the Biggert house. You heard that
- 3 with regard to a handful of others. Lots or
- 4 homes, parcels on the market for a long period
- 5 of time, selling below the land value, set aside
- 6 the structure, selling below the land value. 70
- 7 percent of asking value he mentioned.
- **8** Are we seeking the minimum
- 9 variation? When you look at the block, the
- 10 minimum variation is defined by two contexts.
  - 11 You look at what's necessary next door to create
  - 12 some uniformity and you try to match the rear
  - 13 lot lines.
  - 14 In the circumstance of this
  - 15 particular lot, the 20,500 and so square feet
  - 16 that we are dealing with matches other lots
  - 17 approved in the 1969 Sailor's subdivision and
  - 18 again exceeds 54 to 58 percent of the lots in
  - 19 the petition. It depends on whether you view
- the petition by name of the assignee or by lot
  - 21 owned. But this lot is in substantial
  - 22 conformity with the trend of development.
    - 63
    - 1 I brought Joe Abel here tonight to
    - 2 talk about the difficulties in the R-1 districts
  - 3 and the importance of the variation and the
  - 4 importance of a lot of things that Mr. Parker
  - 5 and Mr. Bousquette laid out for you. I think
  - 6 it's important that they covered their basis.
  - 7 They covered a lot of what Joe might say.
  - 8 Joe participated some time ago in a
  - 9 survey of all the R-1 lots. That's where we get
- over 10 our 92 to 94 percent figure. It related to the
  - 11 Ryan parcel, 901 South Park. At that point in
  - 12 time, it was quite clear that the village did
  - 13 not have any disagreement with Mr. Abel's
  - 14 conclusion that 92 to 94 percent of the lots in
  - 15 the R-1 district are nonconforming and primarily
  - 16 in relation to the minimum lot area.
  - MR. PODLISKA: You seem to be going
  - 18 over a lot of the same ground, counsel. Can you
  - 19 wrap it up?
- MR. DANIEL: Yes, I think I can. I
  - 21 think the merits are met. We have met the
  - 22 minimum variation; it won't upset the

- 1 neighborhood.
- With respect to the ability to
- 3 impose conditions, there is a provision in the
- 4 code that allows you to do that, and I believe
- 5 it is a fair condition to reflect the sworn
- 6 testimony from Mr. Parker and Mr. Bousquette
- 7 about preservation.
- 8 I want to thank you for your time.
- 9 I'll be happy to answer questions that you have
- or the neighbors may have as well.
  - 11 CHAIRMAN NEIMAN: I guess it's now time
  - 12 to hear any public comment pro or con unless the
  - 13 owners or any of the other people who have been
  - 14 helping the owners and tenants would like to add
  - 15 anything.
  - (No response.)
  - 17 Any members of the public who would
  - 18 like to speak pro or con come on up. Please,
  - 19 state your name for the record.
- MR. HOOKS: My name is Harold Hooks,
  - 21 Junior. I reside at 125 Hillcrest for the last
  - 22 3, 4 years. Prior to that, about 10 years, at
    - 65
  - 1 522 East Third Street on 2 nonconforming lots of
  - 2 R-1.
  - 3 I'm here just to support that I'd
  - 4 like to save the Zook.
  - 5 CHAIRMAN NEIMAN: Thank you.
  - 6 Come on up.
  - 7 MS. BRADEN: I'm Alexis Braden. I live
  - 8 at 436 East First Street. Thank you, Commission
  - 9 and Board and to you, Mr. McGinnis, for
- 10 educating me on this one when I came to the
  - 11 village to see you.
  - 12 I'll keep this short given I have
  - 13 spoken at the previous historical preservation
  - 14 commission meeting.
  - 15 I'm a R-1 resident. My husband and
  - 16 I through John Adams and Paul Primau of
  - 17 Homecrafters have extensively rehabbed a home
  - 18 built in the 50s on a lot smaller than this
  - 19 30,000 requirement. I point this out because
- 20 contrary to statements made by members of the
  - 21 historical preservation commission, there are
  - 22 smaller lots in R-1. This goes back to the

- 1 video that you probably watched. As people
- 2 know, 90 percent of lots in R-1 are below the
- 3 30,000 square feet.
- 4 We are talking about 100 feet
- 5 roughly. 100 feet to preserve a Zook home.
- 6 Last month alone our R-1 district saw two
- 7 historic homes torn down to accommodate new
- 8 construction, one on Fourth and one on Garfield.
- 9 We all know what's going to happen
- 99 37 4394 10 here. Given the enormous lot size and property
  - 11 taxes, no one is going to keep this home
  - 12 standing. They may say they will, but the
  - 13 demolished historic home on Third known as the
  - 14 pink home was an absolute proof point to the
  - 15 contrary.
  - 16 I encourage you to take a tour of
  - 17 the home so you can see firsthand that it's in
  - 18 mint condition minus this foundation work.
  - 19 Speak to the moving companies involved. They
- have given their expert opinion on how this home
  - 21 could, without a doubt, withstand a move. Speak
  - 22 to experts on how drainage issues could be
    - 67
  - 1 resolved and drastically improved with this
  - 2 move. Speak to the trustees of the historical
  - 3 society, which I'm a former trustee, on why Zook
  - 4 is so important to our village.
  - 5 CHAIRMAN NEIMAN: Anyone else?
  - 6 MS. BARCLAY: Good evening. My name is
  - 7 Sarah Barclay. I reside at 606 East Third
  - 8 Street. So just a few blocks from the home in
  - 9 question. I also have a master's degree in
- architectural history from the University of
  - 11 Virginia so this is a topic of particular
  - 12 importance to me. I'm obviously here in support
  - 13 of the relocation of this home.
  - 14 Something is going to be built. So
  - 15 what does the village of Hinsdale want to see?
  - 16 What are its priorities? That's a concern for
  - 17 me as a member of this community. And remember,
  - 18 this is a historic district. This home helped
  - 19 to establish this area as a historic district.
- The village of Hinsdale's own
  - 21 application for such a district maintains that
  - 22 the area have general architectural and historic

- 1 significance. This home contributes all of
- 2 those things. Would a new build contribute
- 3 these things? Would a new build enhance the
- 4 general architectural and historic significance
- 5 of this area? I think not. I think proof of
- 6 what we have seen that's happened here in the
- 7 last couple of years, especially on Woodside, is
- 8 proof of that.
- 9 As an architectural historian, I
- os 13 02PM 10 would hate to see this home demolished. The
  - 11 village of Hinsdale has gone to great lengths to
  - 12 tout the character of its town even so far as
  - 13 working with the Hinsdale Historical Society to
  - 14 develop an app that allows people to take a
  - 15 walking tour of the Zook homes.
  - 16 We have the Parkers here committed
  - 17 community members who would like to retain and
  - 18 enhance this home without negatively impacting
  - 19 its neighbors. This is a win-win. And it would
- seem to me that in a town so committed to its
  - 21 history that it established a historic
  - 22 preservation commission, that such a group would
    - 69
  - 1 be working tirelessly to come to resolutions to
  - 2 satisfy the concern of nearby homeowners and the
  - 3 best interest of the town looking to move away
  - 4 from the overbuilding that has taken place in
  - 5 recent years.
  - 6 This is an opportunity to establish
  - 7 precedent for how the village values its
  - 8 historically significant homes, as well as
  - 9 showing current and future homeowners that local
- government is willing to work with its
  - 11 homeowners to come to a reasonable solution free
  - 12 of undue burdens both financial and otherwise
  - 13 and in this case maintaining the significant
  - 14 contribution made by Harold Zook to the village
  - 15 of Hinsdale. Thank you for your time.
  - MR. DAVIS: My name is Champ Davis, 24
  - 17 West Ogden Avenue, Hinsdale. As we have
  - 18 acknowledged, it's the first day of summer.
  - 19 It's also the longest day of year. I was hoping
- that the longest day of the year would have
  - 21 prevailed for us here but it's now nighttime.
  - 22 It also happens to be my birthday and it's my

- 50th birthday today, so I'll make this verybrief.
- 3 I would like to say that as a
- 4 resident of Hinsdale for 23 years, I have good
- 5 friends on both sides of the aisle, so I'm
- 6 friends with the bride and the groom here today.
- 7 I'm also a trustee on the board of the Hinsdale
- 8 Historical Society and it's going to be very
- 9 disappointing for the app that we have worked so
- $_{\mbox{\tiny 60.32\,MPO}}$  10  $\,$  hard on to drive by the bicycle tour of the Zook
  - 11 homes in Hinsdale to drive by and just have to
  - 12 show a flag or a cross or some memorial flowers
  - 13 here. So we would like to -- personally
  - 14 speaking, I think it's a wonderful plan. I
  - 15 think it's a real win-win. I grew up in a Zook
  - 16 home and there's some real special features of
  - 17 this Zook home.
  - 18 The Parkers have been gracious
  - 19 enough to invite the historical society over for
- $_{\text{core}}$  20 an open house. We took them up at their
  - 21 generous offer to host that. It further
  - 22 revealed for us our belief and commitment that
    - 71
    - 1 this is a wonderful preservation effort and an
    - 2 opportunity that we are really proud to see in
    - 3 our community.
  - 4 So I would also just suggest that
  - 5 any opposition to this house or this project,
  - 6 this preservation effort would probably be folks
  - 7 that have this situation in their direct
  - 8 backyard and will be kind of a nimbly approach,
  - 9 and I don't mean that disparagingly, but I do
- feel that unfortunately in situations like this
  - 11 when you have the opposition, this is actually
  - 12 in their direct backyard, it's not really an
  - 13 objective opposition, it's a very personal and
  - 14 sort of a conflicted opposition.
  - 15 But I would also add to that that
  - 16 there's probably 17,000 other residents of
  - 17 Hinsdale where this is not in their backyard,
  - 18 that had they become aware of these proceedings
  - 19 would certainly also support having a preserved
- Zook home in the community.
  - 21 So with that, I just want to thank
  - 22 the Parkers and the board here for all the time

- and having the longest day of the year I guess
- 2 didn't help us. But thanks, everybody.
- 3 MR. BOYLE: Chairman Neiman, the Board,
- 4 thank you very much. My name is Kevin Boyle.
- 5 My wife, Karen and I, came out to Hinsdale about
- 6 13 years ago from downtown Chicago. There we
- 7 had rehabbed two historic buildings, a graystone
- 8 and a brownstone.
- We moved out to 132 East Fifth
- og 24:389M 10 Street. It was known as Mrs. Guido's home. It
  - 11 was a nonconforming, noncompliance, precode
  - 12 structure, a through lot, and we spent a lot of
  - 13 time here because what we did was with the idea
  - time field yourded what we are was with the
  - 14 of preserving the structure, we moved the
  - 15 entrance from Sixth Street to Fifth Street so we
  - 16 changed the garage. The garage happened to be
  - 17 leaning over the setback and as such, we spent a
  - 18 lot of time.
  - 19 In that process with the help of
- 20 Mr. Parsons we learned that that home had a Zook
  - 21 addition to it. So even more important that we
  - 22 preserved that home.
- 73
- 1 Five years ago we moved to 329
- 2 South County Line Road, so we are about a half a
- 3 block from the Parkers. Have long admired the
- 4 Zook home there and were very happy when they
- 5 moved in. Our kids are classmates. We are
- 6 parishioners at St. Isaac and we want to see
- 7 that home preserved.
- 8 We did everything we could do at
- 9 132 East Fifth with the drainage and all the
- 23.3399 10 codes. It worked out just fine. The home was
  - 11 sold. It's still standing. And I think it's a
  - 12 testament to preserving some of the history of
  - 13 Hinsdale. That's why we moved out here and
  - 14 that's why we intend to stay. So I urge you to
  - 15 grant the variance and keep that home and keep
  - 16 it with the Parkers. Thank you.
  - MR. BAGULL: My name is Jeff Bagull,
  - 18 505 The Lane, Hinsdale.
  - 19 So like you, Mr. Chairman, we moved
- out here because we like the look and the feel
  - 21 of the town I think many who are here agree
  - 22 with the idea of preserving these older homes.

	74		76
1		1	MR. COFFEY: My name is John Coffey,
2	, ,	2	
3	My understanding is there's very few Zook homes	3	.=
4	actually still left in the neighborhood. We	4	
5	have the ability to save one of these houses.	5	
6	The lot fits the neighborhood, the house fits	6	I hope you guys look at it the same way I do.
7	the lot. It just seems like it all kind of	7	Thank you
8	winds up in a way to preserve the house instead	8	MR. HOLMES: Hello. My name is Kevin
9	of having somebody come in and demolish it. I	9	Holmes. I and my wife reside at 425 Woodside,
09 25 23PW 10	think you should grant the variance. Thank you.	09 24 50=1. 10	which has been mentioned earlier today.
11	MR. MALINOWSKI: Hi. Michael	11	! would just like to quickly speak
12	Malinowski, 635 East Sixth.	12	on some of what the applicant spoke to on my
13	I would just like to add that I	13	house. First of all, I didn't build the house;
14	have been a longtime resident of the town. Very	14	we moved ato an existing house that was built.
15	fond of Zook homes. I want to applaud and	15	The applicant got the square
16	support the Parkers in the preservation of this	16	footage quote from the MLS listing, which as we
17	home.	17	probably all know, can sometimes not be so
18	I think we moved here many, many	18	truthful. So the square footage that he quoted
19	years ago, and many people will attest that many	19	was 8,000 some square feet that included
117.1PW <b>20</b>	of the characteristics that brought us to the	(20) 22-20	finished basement and the attic. So it's not
21	town was the mix of this wonderful old historic	21	quite that hig. It's a big house but it's more
22	architecture as well as these wonderful new	22	like 6,000 square feet. So I just wanted to
	75		77
1	homes that they are currently building. And	1	clear that up too.
2	people who refer to Harold Zook as being the	2	And I also wanted to just touch
3	Frank Lloyd Wright of Hinsdale. So I think the	3	real quick on
4	community should consider doing everything it	4	CHAIRMAN NEIMAN: Were you referring to
5	could possibly do to maintain that home and	5	your house <sup>7</sup>
6	obviously give the Parkers the home that they	6	MR HOLMES: Correct, the 425 Woodside
7	love so much.	7	house which was mentioned.
8	MS. KUCHIPUDI: Hi. My name is Deepa	8	First of all, I'd like to thank the
9	Kuchipudi. I live over at 212 Eastern in	9	board. I kro# it's a long night and I feel as
··· :62% 10	Clarendon Hills.	er.a:=== 10	if we have teen a little bit hijacked and I just
11	I'm the Parkers residential real	11	want to make sure that we have our voice in this
12	estate attorney who's handling this transaction	12	situation toc.
13	for them and I wanted you to know that we do	13	nere's been a lot of discussion
14	have a contract that is in full force and	14	about the hatorical significance of the Zook
15	effect, binding, valid and all the contingencies	15	home. My wife and I do not disagree with that.
16	have been met. Only thing outstanding is this	16	We would love to also preserve that Zook home
17	variance to be granted.	17	too.
18	MR. MOBERLY: It's contingent on this	18	The village has correctly made it a
19	variance; right?	19	priority to conserve old historic homes and the
:::::: 20	MS. KUCHIPUDI: Yes. Once it's	si 20079 20	way they dc this is in the form of historical
21	granted, then we can move forward with the	21	preservation designation and in tax relief for
22	closing.	22	anybody who would like to purchase a Zook home

1 or historical home. It isn't in the -- it 2 shouldn't be in granting variance requests. So I know it's been a long night 3 and I know that you guys are tired. We are tired too, but this is an emotional situation 5 for us as well. We are the property directly to 6 the west of the proposed lot. And so I just want to make sure that we at least have an opportunity to speak.

09 :12:24 10 MR. MOBERLY: Are you speaking for the whole opposition? We take your position very, very seriously. So take your time and say what 12 you need to say. Because we do take that very, 13 14 very serious. I'm assuming you might be the only one here because it's a long night and 15 whatnot, so just take your time, make the points 16 you need to make. 17

UNIDENTIFIED SPEAKER: There will be 18

19 others.

2

4

19 23 12FW 20 MR. MOBERLY: Okay, sir.

MR. HOLMES: So just to give you a 21

little bit of background on me. Once again, I'm 22

79

Kevin Holmes, 425 Woodside. 1

My wife and I moved to Hinsdale just about a little over five years ago. We had one kid. We were living in the city, we had one kid and one on the way, and when we figured out -- or when we came to the conclusion that our condo's walk-in closet wasn't going to serve as

an appropriate nursery, we decided that we 8 needed a little more space. 9

We didn't have any connection to 29 11 4270 10 Hinsdale. We just came out looking for houses 11 in several different suburbs and fell in love 12 with the town, the beautiful homes, the parks, 13 the downtown area and, of course, the schools. 14

We just knew that it would be a great place to 15

raise our children. 16

exactly what we needed.

We moved into what for us at the 17 time was a perfect house. It was on Walker Road in the Lane school district. And like I say, it 19 was perfect for us at the time. We had great SS 42 1280 20 neighbors, it was a great neighborhood and fit 21

During that time, my wife and I had 1

sort of gotten into a discussion about whether

to have a third kid or not. I was perfectly

happy with our two and was voting to not have a

third kid.

MR. MOBERLY: This is being recorded,

sir, just so you know.

MR. HOLMES: My wife was in favor of 8

having a third kid. So needless to say, when we

had our third kid, we decided that we needed a 09 42 4093 10

little more space and so we started passively 11

looking around. We needed a little more yard 12

13 and more space.

14 We saw online the newly constructed

home at 425 Woodside. We made the mistake of 15

16 touring the house and fell in love with it. We

fell in love with the yard, the trees, the 17

streets, and everything about the house. So we

took a chance and we bought it last May and

moved in shortly thereafter. And up until we 65 43 9484 20

received the note in December that there was 21

this false dilemma of either we are going to --22

either you support separating these two lots and

moving the Zook home over or we are going to

teardown the Zook house. 3

And so it was at that moment that

we started looking into what our options 5

6 actually were. So that's why I want to get into

a little bit about the actual standards that 7

need to be met for the ZBA to approve a variance 8

request.

G9 43 45PM 10 Zoning Section 3-101 -- I know that we have had a lot of numbers thrown at us the 11 whole night. It specifically says, The single-12

13

family districts provide for a limited range of

housing densities consistent with the village's 14

established residential neighborhoods. The R-1 15

and R-2 districts allow for lower density 16

residential use and larger lot sizes. The R-3 17

and R-4 districts allow for somewhat higher

density residential use and smaller lot sizes.

c: :: : 20 So the zoning code specifically state that the R-1 district's primary focus should be on preserving lower density

- 1 residential use and larger lot size.
- 2 It goes on further in Section 2-102
- 3 to say the R-1 district shall be deemed the most
- 4 restrictive residential district. If allowed,
- 5 the new size of the lot on Woodside would be
- 6 20,000 square feet. Now that's actually not
- 7 totally correct. The new lot that would be
- 8 broken out would be 17,000 square feet. They
- 9 would have to then rezone 3,000 square feet in
- order to fit the Zook house on the lot.
  - 11 It's a misrepresentation that says
  - 12 that if you totally separate the two lots as is
  - 13 that the house will fit there. It will not. It
  - 14 will not clear the backyard variance, which is
  - 15 at least 50 feet from the backyard.
  - 16 Now, Mr. Bousquette owns both of
  - 17 those, the whole lot, so he could then rezone it
  - 18 to make it bigger. You are looking at me like
  - 19 I'm --
- CHAIRMAN NEIMAN: No. Mr. McGinnis,
  - 21 could you give us your view on the statement
  - 22 that was just made?

- 1 MR. McGINNIS: Sure. If they have
- 2 excess property on Fourth Street frontage, they
- 3 can deed that over to the Woodside lot. There's
- 4 an exception under the plat act they can take
- 5 care of that. The rear yard requirement has to
- 6 be met. The only way that's met is by deeding
- 7 over that excess property from the 444 East
- B Fourth lot.
- 9 CHAIRMAN NEIMAN: And is that the plan?
- MR. PARKER: Yes.
  - 11 MR. HOLMES: I know it's the plan. It
  - 12 seems a little bit disingenuous.
  - 13 CHAIRMAN NEIMAN: Should we make that a
  - 14 condition of the variance if we were to pass it?
  - MR. PODLISKA: But they haven't asked
  - 16 for that variance so they wouldn't be able to do
  - 17 it.
  - 18 MR. GILTNER: It's not a variance.
  - 19 MR. McGINNIS: They don't need a
- variance for that.
  - 21 CHAIRMAN NEIMAN: If we were to grant
  - 22 the variance, shouldn't we make the deeding of

- 1 that additional land to the lot that additional
- 2 land a condition of the variance?
  - MR. McGINNIS: There's certainly no
- 4 downside to that. We are belting and
- 5 suspendering it. At the end of the day, there's
- 6 no permit ssued unless all those bulk regs are
- 7 met. But certainly you can make that a
- 8 condition of it.

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- 9 CHAIRMAN NEIMAN: Can someone make a
- 09-45 32Pm 10 note of that, that if and when we vote to grant
  - 11 the variance, that should be another condition
  - 12 if we grant it at all.
  - MR. ALESIA: This is a recommendation.
  - 14 CHAIRMAN NEIMAN: Yes, a
  - 15 recommendation. Absolutely right. Thank you.
  - 16 MR. HOLMES: And so going back to the
  - 17 whole idea of the minimum lot size and your
  - 18 restrictiveness of the R-1. This is, to my
  - 19 knowledge, and I have asked Mr. McGinnis several
- of ar area 20 times, this would be the first variance request
  - 21 for a lot size reduction in the R-1 district,
  - 22 the very first. And this is a lot size

- 1 reduction of 33 percent.
- 2 So the minimum lot size is 30,000,
- 3 they are asking for 17 or 20, however you guys
- 4 interpret that, but this, I believe, would set a
- 5 terrible precedent. And I know that we talked
- 6 about variance requests not setting a precedent
- 7 but they get referred to all the time in further
- 8 legal standards.
- 9 Even if it doesn't set a precedent
- and you gues are confident in the fact that you
  - 11 can decide each case on its own individual
  - 12 merits, it certainly will raise the question of
  - 3 -- it will certainly raise more of these coming
  - 14 before you. I can't imagine that would not be
  - 15 the case.
  - 16 MR. MOBERLY: Mr. Holmes, your square
  - 17 footage of your house is misrepresented, so
  - 18 what's the square footage of your lot?
  - 19 MR. HOLMES: 21,000.
- MR. MOBERLY: So you don't have a
  - 21 30,000 square foot lot now. It's not your
  - 22 fault.

86 1 MR. HOLMES: Well, that's another thing 2 I question. At some point the village looked at the lot sizes and therefore looked at the different zonings and said you know what, we 5 want to preserve large lots and right now in all 6 these different cases, specifically R-1, people 7 are dividing these lots and we don't want to have smaller lots. We want to preserve this area, this one quarter of Hinsdale to say we want large lot sizes and we want lower 09 48 45 25 10 11 densities. That should be our primary focus in 12 R-1. 13 MR. ALESIA: But your lot is 21,000. 14 MR. HOLMES: It definitely is. MR, ALESIA: Why can't they have the 15 same thing? 16 MR. HOLMES: Well, because it's not an 17 existing lot. I mean, if the argument is why 18 shouldn't they have it because you have it? 22 45 14PV 20 Well, I have it because I bought it and it was already -- the situation was already there. 21 22 I agree that maybe it doesn't make 87 sense to have 30,000 square foot lot size 1 minimum requirement, but you would assume that the zoning board at some point, whoever designed these, made that a requirement because they didn't want situations like this to happen where people are saying, oh, you know what? I have a very large lot, maybe I can divide it and profit 7 from splitting this up and having two lots. 8 MR. ALESIA: What's the problem there? 9 Why if somebody owns all these lots, why can't 09 :23357 10 they if it conforms and everything? 11 MR. HOLMES: Well, because it's against 12

the code and they need to get a variance

have to prove the 8 different criteria, right?

ahead, what's your problem -- which of the 8

criteria do you have a problem with?

MR. ALESIA: Right. Just to skip

MR. ALESIA: They are seeking a

MR. HOLMES: Sure. Going to that they

with all of them. The proposed property creates a unique physical condition. I agree that the 20,000 square foot lot isn't unique to the block. When they talk about the block, 5 there's actually 4 homes that have Woodside addresses, mine and 3 others. Now, there are a total of 9 and 10 if you include Mr. Bousquette's other home that actually accesses Woodside. 09 50 25PM 10 11 I assume you guys have a copy of my packet, but the existing lot is here in yellow. 12 And all these other lots around here are large 13 lots. There's a 50,000 square foot lot 444, 40,000 square foot lot which Mr. Bousquette owns, 49,000 on Oak, which is right here right next to it. (Indicating.) 17 18 So there's several large lots in the immediate vicinity. So while splitting the 19 lot doesn't necessarily create a unique physical 00 31 5474 20 21 condition. I have watched a lot of your past 22 zoning board meetings, and the existing lot doesn't have any unique physical limitations. It's not unique to the neighborhood at all. The 50,000 square foot lot is not unique to the block in question. There are lots of large lots 5 there. 6 CHAIRMAN NEIMAN: Doesn't the existence of the Zook home, of the structure, render it a 8 unique physical condition though? 9 MR. HOLMES: I'm sorry, can you say 10 u=11 16 80 that again? 11 CHAIRMAN NEIMAN: Sure. Doesn't the --12 the unique physical condition criteria states that the subject property is exceptional as 13 14 compared to other lots subject to the same 15 provision by reason of a unique physical 16 condition, including the presence of an existing 17 structure whether conforming or nonconforming. MR. HOLMES: I'm just saying the 18 existing house and the existing lot in no way is 19 C9 52 12PW 20 a unique physical condition to the neighborhood. CHAIRMAN NEIMAN: And I appreciate

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22 that, but we are allowed to take into account,

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request.

variance request.

- 1 the existing structure of the Zook home, in
- 2 determining whether or not there's a unique
- 3 physical condition. It's not just the land
- 4 itself.
- 5 MR. HOLMES: Sure. Okay.
- 6 Not self-created. The Zook home
- 7 was built on the subject property in 1929. The
- 8 applicant purchased the property September of
- 9 2013, so that's less than four years ago he
- purchased the property.
  - 11 I watched a lot of the zoning
  - 12 meetings before and most of those requests that
  - 13 come to you are from people that have lived in
  - 14 the house for decades and somehow fell into a
  - 15 situation where they needed relief because maybe
  - 16 they didn't do anything when the zoning codes
  - 17 got more stringent.

19

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- MR. CONNELLY: But again, there's no
  - precedent that's set by the board at any meeting regardless of how many you view.
- 21 MR. HOLMES: Sure. But I would contend
- 22 that this is entirely self-created. The

  - applicant states that the Zook house has a
- 2 unique physical characteristic in that it was
- 3 built on an oversize lot, a lot too big for a
- 4 home that size. If that is true, wasn't that
- 5 the case three-and-a-half years ago when he
- 6 purchased this house? And if the basement had
- 7 problems flooding, wasn't that the case when he
- 8 purchased this house? I mean, he hasn't lived
- 9 in this house for very long, nor has he rented
- 10 it for very long. If there is a problem with
  - 11 this house on this lot, it is solely self-
  - 12 created. He's only lived there for a short
  - 13 time, only owned the house for a short time.
  - 14 A denial of substantial rights.
  - 15 From what I gather there have been no other
  - 16 variance requests for a reduction of lot sizes
  - 17 that have been approved in the R-1 district.
  - 18 Denial would by no means deprive the applicant
  - 19 of any right commonly enjoyed by owners of other
- 20 lots. Contrary, approval would give the
  - 21 applicant the right not previously enjoyed by
  - 22 anyone in the R-1 district.

- 1 Not merely a self-privilege. And I
- 2 agree. I only say this because it's been
- 3 mentioned several times, but I think the only
- 4 reason that we are even talking about this is
- 5 because its a Zook home.
- 6 If approved -- so once again, if
- 7 this was approved, it would be largely because
- 8 it was a Zcok house. I think by definition this
- 9 means it's a special privilege.
- OSSE 1704 10 Coding and planning purpose. As I
  - 11 talked about before, the village comprehensive
  - 12 plan for the R-1 district, which is less than
  - 13 one-fourth of the whole area, its sole purpose,
  - 14 the sole thing that I think you guys should be
  - 15 thinking about is for low density and large lot
  - 16 size. That's what the zoning codes say. That's
  - 17 what the R-1 district should be focused on.
  - 18 CHAIRMAN NEIMAN: I'd like to go back
  - 19 to not merely special privilege for just a
- cassamu 20 moment.
  - 21 Part of the criteria, the
  - 2 description of that criteria is that the alleged
    - 93

- 1 hardship or difficulty is not merely in the
- 2 ability to make more money from use of the
- 3 subject property.
- 4 From what I understand, if the Zook
- 5 house was torn down, the owner could make more
- 6 money selling the lot than what he's doing now.
- 7 MR. HOLMES: See, I don't -- I disagree
- 8 with that, and I can't speak on that because I
- 9 think that's such a subjective question where
- 93. 10 you would need to actually market both of those
  - 11 things. It's never been marketed as one
  - 12 specific lot. It's never been marketed that
  - 13 way.
  - He bought it three-and-a-half years
  - 15 ago for \$2.2 million. Now he wants to sell it
  - 16 as two separate lots. And I don't know if in
  - 17 the contract it talks about what the Parkers are
  - 18 purchasing it for, but he's put the other lot up
  - 19 for \$2 million just the north lot. So I don't
- 20 know. I mean, who knows? The market is what
  - 21 the market is
- CHAIR MAN NEIMAN: Fair enough.

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1	MR. HOLMES: Essential character of the
2	area. I think we talked about that a lot. It
3	would add to the congestion on Woodside.
4	As pointed out, there are currently
5	4 properties with addresses on Woodside but 10
6	properties that access it via the drive. This
7	would add another one.
8	The applicant points out that at
9	one time the house at 445 Woodside, which was
59 533 250 10	torn down so that it wouldn't add any new
11	density, but he failed to point out that that
12	house was torn down over 20 years ago. So no
13	one living on that block knows exactly what that
14	was like or what that extra house did to the
15	congestion on that street.
16	And finally, I'd like to talk about
17	the no other remedy thing. And this is where I
18	think it fails the the biggest failure. And
19	I think it's unfortunate.
55755° <b>20</b>	The applicant has made no attempt
21	to market the home as is. Someone, I would
22	think, maybe I'm wrong, but he's never attempted
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1	that. You would think that maybe given an
2	attempt to do that, someone might come in and
3	buy the house and renovate it. It would be a
4	prime example of what the historical society has
5	put in place for the tax savings when you buy a
6	house, renovate it and for eight years you get
7	to keep your tax base of the purchase price or
8	the assessed value. There has been no attempts
9	to do that.
37 13PW 10	He points out in his statement that
11	the tearing down of the Zook home would be the
12	unpalpable because of his fondness of the Zook
13	home. If that is true, why hasn't he ever just
14	tried to sell the Zook house or landmark it and
15	sell it the way it is now? Now, I contend that
16	that would give him less money, right? It might
17	cut his profit down. But that's not what we
18	should be thinking about here. We should be
19	thinking about what is right for the neighbors,
95 1980 <b>20</b>	what is right for the R-1 district, and what is
24	right for this cituation

correctly placed an emphasis on preserving historical homes and they showed this commitment in the form of tax incentives for people who want to buy and renovate these historic homes not by splitting the lots and granting the variance requests. So I'd like to close with a few 7 remarks. We request -- or I request that the board adhere to the code and listen to the concerns of the neighbors, the ones who will be 09 50 4924 10 directly affected by the split of this lot and 11 deny this variance request. 12 Like I said, I have watched several 13 of the ZBA meetings in the past and to me it seems like some of the things that you guys focus on, or the two things you guys focus on 16 most are you like to know what the character of 17 18 the -- how things would change if the character -- or how the character of the neighborhood 19 69 19 13PM **20** would change if this would be granted. 21 I believe the Sixth Street one you 22 guys granted the variance request because the lot size for the two lots was going to be twice as large as any other lot size on that block. 3 That's not the case here. 4 The other thing that you guys focused on is what do the other neighbors around think. And I can tell you, as Ms. Brickman will 6 discuss, the entire block is not supportive of this. We have 27 names of people specifically in the R-1 district who do not support this. 69 59 18PV 10 And real quick, I know it's been a long night, but I just want to end this real

quick. And this is more directed for the people 12 in the room. 13 14 This process has been an absolute nightmare for me, my wife and our family. While I know we are not alone in having to live through this difficult and emotional situation, I will say that of all the people who have been affected by this, there are only two parties who chose to be involved: The applicant and the 12 23 19FV 20 potential buyers. 21 Since being pulled into this, we

So once again, the village has

98 have gotten bad looks. People we thought were 2 our friends no longer said hello or completely ignored me, my wife or my children. Somehow we have become the bad people in this situation. So if you are here tonight in the 5 supporting of the Zook house -- I'm sorry. If 6 7 you are here tonight, I would just like to ask you what would you do if you were put into our situation? I just want to give you a quick 10.00 850 10 timeline. 11 We made a substantial investment

To support the lot split and have a home placed in the backyard of the lot next to you or you would be responsible for tearing down a historic home. What would you do?

I met a lot of people living in Hinsdale but I have yet to meet a passive go-with-the-flow person who would sit back and

and purchased the home of our dreams back in May

a year ago. Eight months later we received a

certified letter that stated we had two choices:

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see neighbors stop talking just because they
 didn't like the landscaping choices of the
 neighbor. So before you judge or mark us down
 as bad people, ask yourself what would you do if
 you were put in this situation.

just let this happen to them or their family. I

5 Our objection has never been about the Parkers. I'm confident they would be fine neighbors. As a matter of fact, we were very excited when we learned of them moving into the Fourth Street house. We came over with cookies 12 21 21 EV 10 with our family, introduced our family to them, 11 and that was before we knew about this petition. 12 But becoming neighbors with someone shouldn't 13 have to happen this way. This isn't a 14 popularity contest and a historical home 15 shouldn't be used as a pawn in an attempt to 16 17 make a profit. If you are here tonight to support 18

the Zook home, I say welcome. Please join us in

our attempt to convince the applicant to give an

honest attempt to sell this home and have

someone preserve it and renovate it at its

1 current location.

2 If the Zook home gets torn down,3 you shouldn't blame the ZBA, the Holmes or the

4 neighbors who are getting this left with. If

5 the Zook home gets torn down, there is only one

6 person to blame and that's the person who has

7 the control over it: The owner.

8 Just one quick thing.

9 Mr. Bousquette seemed to take our letter against

13 23 2324 10 this very personally. It wasn't meant to be

11 personal. It was simply meant to state our side

• 12 of this. So for him to drag all that personal

13 stuff into this, it was never meant to that. If

14 having an opinion that is against what you think

15 is wrong and he can't accept it, I don't know

16 what to say. But I will say that it was not a

17 personal attack on him.

18 MR. MOBERLY: I know there's some other

19 folks here, since you sort of headed up the

petition drive, I want to --

21 MR. HOLMES: I did not. The petition

2 drive was headed up by neighbors of the area.

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1 MR. MOBERLY: Okay. Can I just ask the

2 ugly, ugly, ugly elephant in this room that I

3 think Alexis Braden kind of touched on it is if

4 we deny this petition, by lunchtime tomorrow a

5 developer will own that house. Your house is

6 6,000 square feet. They can put up with no

7 input from anybody in this room, they need a

8 building permit, 12,777 square foot, over twice

9 the size of your house.

They can also put up 26,000 square

11 feet, which is more than my yard and my yard

12 next door, of ancillary structures. They could

13 put up sports courts, six-car garages, the full

14 Hinsdale package. They are going to almost

15 clear-cut that lot. I'm not blaming you but

16 that's the alternative. It's not the cute and

17 cuddly Zook that's there.

The applicant has been verytransparent that this is an investment. It's

20 his decision, his timing. He can do what he

21 wants to do when he feels just like I can do

22 with my investment what I want to do and you can

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1	too, sir.	1	that the owner wouldn't in fact teardown the
2	I just really see that being a very	2	l house, that he would still market it the way you
3	real reality. This could be just a monstrous	3	would like to see it marketed, but I'm not sure
4	house. And I see some of those houses over	4	that's what we are here for. And it seemed like
5	there in the Oak school district as us poor	5	backwards logic to me because from what I
6	folks call you guys. Some of them are	6	understand, everybody agrees that if we deny the
7	beautiful. Yours is beautiful. Actually, I	7	variance, the owner can teardown the house
8	like your house. I like the windows. I think	8	tomorrow.
9	it's landscaped nicely. Some of those are	9	MR. HOLMES: He can and that would be
12213290 10	clunkers. And you may get a clunker next door	10 26 45PM 10	his choice.
11	to you that could be very, very, very large.	11	CHAIRMAN NEIMAN: Okay. Thank you for
12	MR. HOLMES: Well, there's other	12	your comments.
13	alternatives, too, right?	13	MR. HOLMES: Thank you for your time.
14	MR. MOBERLY: But he doesn't have to	14	MR. MOBERLY: Thank you for your time
15	pursue that. Tomorrow morning he can self this	15	and your detail.
16	lot.	16	MS. BRICKMAN: Hi. I'm Donna Brickman,
17	MR. HOLMES: Well, if that's the case,	17	439 East Sixth Street. I'll try to keep this
18	that's what I contend. I don't think you guys	18	short because I know we are all tired.
19	can grant that variation request simply because	19	I guess one of the things I want to
20	he can do this with his property. He could also	:: >* 30° Z	mention is the petition that was started is just
21	deed off a special part of that, maybe allocate	21	basically that we are against splitting this lot
22	10,000 square feet and approach me. Maybe I'll	22	and I wanted to give everyone a copy about who
	103		105
1	buy it. Maybe I'll put that sports court up.	1	signed the petition. There's 20 out of 27
2	There's never been any attempts to do anything	2	people. They are in yellow on this map, and I
3	except separate the lots or teardown the house.	3	wanted you to see the proximity of where they
4	He can also control that process a little bit as	4	are to the lot.
5	owner of the property. He could make	5	So if we are going to criticize the
6	contingents on the buyer. He could do a lot of	6	people on the petition, if I just focus on the
7	different things other than teardown the house	7	neighbors on Woodside because it affects the
8	or split the lot and there's never been any	8	most, there's 10 houses on Woodside, some of the
9	attempt	9	lots are on County Line and Woodside or they are
an=v 10	CHAIRMAN NEIMAN: Here's the point. I	:::::::::::::::::::::::::::::::::::::::	on Oak and Woodside, but if there's 10 houses
11	personally studiously avoided listening to any	11	and I take 1 house out being the lot in
12	of the planning commission meetings or the	12 13	question, I have 9 residents. I have signatures
13	historical preservation meetings because I had		from 9 residents who are against this and I
14	heard that there was something going on and I	14 15	think that, obviously, we are the most affected, it's our street. This is not a street that's
15	didn't want those meetings to color my view.	16	like Fourth Street or Sixth Street where it's a
16	But the fact remains, while you are correct that the owner could do those things,	17	big, huge, wide street. This is kind of a
17		18	little narrow kairpin turn, wooded street.
18	what I have never quite understood to the extent that I have heard that the historical	19	I was one of the ones that
19	preservation commission was against allowing	13	commented. I think that 425 Woodside is a big,
34 24	this, what I never quite understood is if we	21	vertical house and you have this big, vertical
21	una, what i hever quite understood is it we	20	Woodelds and the

22 deny this variance, we are all taking the bet

1 which is all vertical. I just think it's a lot

2 of big houses on a very small street and I think

3 it looks very crowded and consolidated, and I

4 don't think that moving to southeast Hinsdale

5 that's really what anybody wants and I think

o that's really what anybody wants and I thin

6 that our opinion matters.

7

I live in a 1937 Zook house. Our

8 house was renovated. The previous owner spent

9 over a million dollars on it, and I don't see

10 why we haven't marketed this house, and I would

1 like some proof was this ever listed in MLS or

12 why don't we make more effort to find somebody

13 like the Eck family or like our family, like the

14 previous family that owned our house.

15 I can give you four Zook houses

16 that have been renovated within like a three-

17 block radius. You have 46 South County Line

18 Road that's being renovated right now, which is

19 a Zook house; you have 430 East Third Street,

20 this is O'Hara's house. They have spent a

21 million dollars renovating that Zook house. You

22 have 405 East Seventh Street, which is for sale

107

again, but that person spent over a million

2 dollars renovating that Zook house, it's on a

3 large lot. You have our house who previous

4 owners spent over a million dollars renovating

5 it.

I think once these homes are

7 renovated, then there's no chance of them being

8 torn down because they are up to speed and they

9 are what people want. Old houses aren't selling

anymore and people just want new houses and they

11 want new renovations.

12 One of my concerns is, obviously, I

13 want to save the Zook house. I live in a Zook

14 house; I'm passionate about Zook houses. But

15 what I'm concerned about is okay, if you pick up

16 the house, you turn it around, you put it on

17 this lot on Woodside, is there room on that

18 house to ever expand or do any renovations on

19 the lot? Because the last time, which I looked

up in the city records, this house was renovated

21 in the 1990s so it's due for renovation. We are

22 hearing that it has foundation issues. Is there

1 room on the lot if they move it to bump out or

2 make expansions, make a master bedroom, do a

3 modern kitchen like everybody wants to get more

4 space. I don't know what's allowed. That's

5 just one of my concerns. You picked up the

6 house, you move it, it never gets renovated. If

7 they don't get historical status, someone is

8 just going to tear it down because they are

9 going to say oh, I don't want an old house and

10 it's going to be gone. This is just kind of a

11 delay to the inevitable of a Zook house being

12 torn down.

13 I asked Mr. Bousquette, I said, so

14 what happens if this gets moved and then the

15 Parkers sell the house and it gets torn down?

16 He said, it's not my problem. So my question

17 how sincere everyone's love is, you know, for

18 this house, or is it a pawn to make money?

19 You have a house that he bought in

2013 for \$2.2 million. You are selling the

21 front lot on Fourth for \$2 million. You are

22 giving the back lot to the Parkers for about a

109

1 million dollars. That looks like a big profit

2 to me, and i think this should be a concern.

3 CHAIRMAN NEIMAN: Let me ask a question

4 of the owner. Would the Parkers be willing as

5 an additional condition of a variance to seek

6 the historical status that would prevent any of

7 those things from happening?

8 MS. PARKER: Yes.

9 MR. PARKER: Yes.

10 MR. CONNELLY: I think they already

11 testified that they would do that.

12 MR. GILTNER: That's the landmark

13 status?

14 MR. CONNELLY: Yes.

MR. GILTNER: Just to clarify, what

16 does that prevent them from doing?

17 MR. PARKER: We are not that far into

18 the process, but I believe it guarantees that we

19 are going to preserve it in its condition. The

one thing that we would ask if we go down that

21 road is just that we have time to execute the

22 physical relocation and that it's not a landmark

anyone is really addressing that. I have more

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down.

old homes that ultimately the person who buys an

- 1 older home can tear it down. That's one of the
- 2 problems with southeast Hinsdale, in my view, as
- 3 it is. Too many nice, old homes weren't
- 4 preserved.
- 5 And so the answer to your question
- 6 is no, there's nothing that prevents it and
- ' southeast Hinsdale is a testament to that fact.
- 8 UNIDENTIFIED PERSON: He could landmark
- 9 the house right now.
- CHAIRMAN NEIMAN: Yes, he could. You
  - 11 are quite right.
  - 12 MS. BRICKMAN: I want you guys to think
  - 13 long and hard before you make this decision
  - 14 because there's lots of developers in the area
  - 15 who are wringing their hands at your decision
  - 16 and I think this decision is going to pave the
  - 17 way for other decisions in the future, and I
  - 18 just ask you to consider that when you are
  - 19 thinking about it.
- 20 CHAIRMAN NEIMAN: Thank you.
  - 21 MR. BRICKMAN: Hi. My name is Andrew
  - 22 Brickman. I actually live with her at 439 East
    - 115
    - Sixth. We have a unique lot. It is a restored
    - 2 Zook home.
    - 3 It's unique in the sense that it's
    - 4 got a driveway on Sixth and it's got a driveway
    - 5 that goes through to Woodside. We are within
    - 6 200 feet of the property in question, so we are,
    - 7 in fact, neighbors of this property.
  - 8 Just a little background on me. We
  - 9 moved to town in 1964. I know that because when
- 10 I was born, we no longer fit in our house in
  - 11 LaGrange so it was to Hinsdale we came. And in
  - 12 those days, we had to live in Cook county
  - 13 because that was more affordable than DuPage
  - 14 county. I didn't experience it but my parents
  - 15 spent quite a bit of money stretching for the
  - 16 house we lived in on 803 McKinley Lane. The
  - 17 house still stands. They taught us to cherish
  - 18 that home but they had to cut a lot of corners
  - 19 to make that work.
- 1. guess this whole thing is rather
  - 21 disappointing as someone who's been around the
  - 22 town for a long time. When Donna and I first

- 1 moved back here in 2004, I was frustrating
- 2 Donna, my wife, because I said I wasn't going to
- 3 live in a teardown home. I only wanted to live
- 4 in a home that was original. And at the time,
- 5 that significantly reduced our options.
- 6 So we started over on 25 East Fifth
- 7 with a nice lot and a nice home and it was only
- 8 after a few years that we were able to move to
- 9 439 and the Zook home. I give Bill Loose a lot
- 10 of credit. He lovingly restored that home. He
  - 11 also worked with the neighbor to demolish the
  - 12 house in between them, split the lot to make
  - 13 sure that it was unbuildable to preserve lot
  - 14 size.
  - 15 So as we look at our lot, it's a
  - 16 combination of two lots. I learned that when I
  - 17 didn't pay taxes on the additional lot and got a
  - 18 penalty bill, so now I'm very careful about
  - 19 paying both bills.
- So we love the area. There were a
  - 21 lot of homes when we originally moved here we
  - 22 would have liked to have bought and I never
    - 117
    - 1 thought of coming to you guys to rezone things
  - 2 so I could buy those homes. It's probably a
  - 3 good plan. I think the Parkers may be on to
  - 4 something. Maybe we just go to the zoning
  - 5 board, recondition the lot so we can afford to
  - 6 cut the taxes and that allows us to buy the
  - 7 home. But I don't think that's technically the
  - 8 way it works.
  - 9 I think this has become very
- personal. Friends are being asked to take
  - 11 sides. I think it's been particularly hard on
  - 12 our neighbors and I feel for them. I know no
  - 13 one on our block is supportive of this to a
  - 14 person. The silver lining in this cloud is that
  - 15 it's kind of gotten us all together as
  - 16 neighbors. We have all spent a lot of time
  - 17 together and we have gotten to know each other
  - 18 better. So that is good news.
  - 19 I think the Zook thing here, I live
- in a Zook house. I like Zook. I think it's a
  - 21 bit of a smokescreen. This is about dollars
  - 22 plain and simple. Matt is trying to maximize

- his return. I get it. Self-interest is a part
- of life. And self-interest isn't a bad thing.
- But the reasons committees like this exist is to
- protect against self-interest. It's to create
- that balance that we need. So I think that
- is -- I think that is a pretty important thing.
- 7 I am pretty confident he never did
- try to sell this home as a full lot. As a
- matter of fact, I think he tried to sell it as a
- half lot and figured out that wasn't allowed and 12 22 22 21 10
  - destroyed all the records of that.

- I'm not sure that legalese and 12
- lawyers and threats is the way that Hinsdale was 13
- when I grew up in it. I'm not sure it's the way 14
- we want it to be. I'd like to see this home 15
- restored. Jay Eck and I grew up together in 16
- Hinsdale. Jay bought the Biggert home. Matt is 17
- correct that he is doing a very large renovation 18
- of that home. Very large. But that home will 19
- sustain. And that's a historical home. So I 2235EW 20
  - give him credit for investing in it and doing 21
  - the right thing by that. And as my wife pointed 22

    - out, there's a lot of people that have done the
  - right thing by Zook homes. So playing the Zook
  - card just to squeeze more money out of this, I 3
  - think that's Matt's game.
  - We have all fallen in love with 5
  - something that's out of reach and I can totally
  - understand why the Parkers have fallen in love
  - with something that's a little out of reach and 8
  - why they want to recondition it so that it is
- within reach, I get it. I understand that. But 123320 10
  - at times you have to make hard decisions and
  - hard choices and I don't know that we should
  - restructure the whole lot and our zoning just so 13
  - they can get the house of their dreams. Maybe 14
  - they have to find a new house. Sorry. 15
  - There are solutions to this. Matt 16
  - could landmark the Zook house, okay? Save the 17
  - Zook house that way. Doesn't maximize his 18
  - dollars, I understand that. 19
- There's a lot of friendship and :: 12 12 20
  - support for the Parkers. I think that's great.
  - Maybe they can help them finance purchasing the 22

- lot from Matt. Maybe they can all come in
- together. Maybe you can get your friends to
- help you.
- MR. MOBERLY: Let's stop the personal. 4
- Let me ask you a direct question, sir. We
- roughed up the applicant pretty good. So I need 6
- to ask you this question and don't take that as 7
- disrespect or taking a side or the other. 8
- MR. BRICKMAN: That's fine. 9
- MR. MOBERLY: I drive around --15 24 CSP11 10
  - actually, the Monroe district everything has
  - been torn down and rebuilt. I drive around your 12
  - neighborhood. I see these monstrous three-and-13
  - a-half-story brick and stone houses. How do you 14
  - guys feel about that? That's the reality here.
  - You say Hinsdale's changed. It's changing as we 16
  - 17 speak.

15

- MR. SRICKMAN: I abhor it. And what I 18
- see now is we are going to create density by 19
- 12 24 25TM 20 doing this. I guarantee it. We are going to
  - create density by doing this. And if he sells 21
  - that lot for \$2 million, let's not assume that
    - 121
    - they are going to put some small house on it.
    - 2 MR. MOBERLY: 12,7777 square feet, not
    - 3 a foot less, 35 feet tall. I promise you.
    - MR. BRICKMAN: If he sells that lot,
  - there's going to be two big homes on these lots.
  - CHAIRMAN NEIMAN: I want to address a
  - larger issue here. This is a microcosm of the
  - problems that we have nationally and the idea

  - that both sides are apparently engaging in 9
- name-calling rather than trying to hear each 10 Matrice 10
  - other's views, we can't make a ruling on that. 11
  - 12 We can't force good behavior. We can't force
  - people to be good neighbors even if they 13
  - disagree on issues, but we shouldn't encourage
  - it. So I encourage both sides to stop with the
  - name-calling. If you would like to address the 16
  - criteria for a variance which is before us, and 17

  - it's been before us now for some time, I'd
  - appreciate it, otherwise sit down. 19
- ::::::::: 20 MR. BRICKMAN: I will do it. I will do
  - 21 it. I'd like to close.

18

To your point, Robert, there is

- more at stake here than just this lot. And I 1
- think the consideration that we have to think 2
- through is what kind of precedence this sets, to
- your point, Gary, and that is what I'm concerned
- about, not just the Zook home. I'd love to see
- the Zook home refurbished. I'd love to see it
- landmarked. I'd love to see done what a number
- of people have done with Zook homes. I think it
- would be great.

12.75.3820 10 But I'm more worried about how they

- start carving up these lots even more and
- creating more mc-mansions because that is not
- what we want in Hinsdale. I don't think it's
- good for real estate values in general. I don't
- think it's good for the town. I don't think
- it's good in general. 16
- But I do think there's a lot of 17
- ways to solve this problem. If Matt cares about 18
- the Zook status, maybe he can help them get 19
- there. I'm just trying to find a way to help · •:::=w 20
  - them keep their house without destroying the 21
  - 22 integrity of that property.

123

- CHAIRMAN NEIMAN: The problem is we
- have -- there's a variance request before us.
- There are criteria that have to be met. What
- you would like to see the owner do with the
- property is not before us.
- MR. BRICKMAN: Correct. 6
- 7 CHAIRMAN NEIMAN: So address the
- criteria or let's get on with it. 8
- MR. MOBERLY: He doesn't have to 9
- address the criteria.
  - MR. BRICKMAN: Is that true? 11
  - MR. MOBERLY: The burden is on the 12
  - applicant and I think other folks have addressed
  - why it doesn't meet the criteria. If you wanted 14
  - to go through why it does not meet the criteria, 15
  - but that's not your concern. 16
  - MR. GILTNER: Let me ask this question. 17
  - MR. MOBERLY: Okay. I'm sorry. 18
  - MR. GILTNER: Name-calling aside, the 19
- neighbors' views are very important for that
  - fact. The burden of proof is on the applicant. 21
  - So you are not the one that decides to do a

- variance request. So we are very interested in
- the feedback of the neighbors who oppose it,
- right. And there's no criticism of the
- neighbors. There's very much an open listening
- from our side in terms of what your concerns are
- because someone is seeking an exception and so
- I'll just leave it at that.
- MR. BRICKMAN: Well, yes. I mean, I 8
- bear no malice to the Parkers. They got put in
- 10 1999 (1.5) the situation. They did. They got put in the
  - situation. They were put in the middle. But I
  - think there's ways to save that house without
  - doing what we have done. And thank you. 13
  - MS. HOLMES: My name is Joy Holmes. I 14
  - reside at 425 Woodside. I have that Morton
  - Arboretum view, the picture that was shown. I 16
  - still have that view. It's beautiful. 17
  - 18 As Kevin stated, we lived there a
  - short time. We love the area, but I have 19
- concerns regarding subdividing the lot of 444 ::::::::: 20
  - 21 East Fourth Street and the lot size variance
  - request as it does not meet the R-1 standards.

- 1 Main concerns of what it will cause
- to Woodside as everyone else has stated.
- Currently, there's not a continuous sidewalk
- down the street. The street floods when you
- make that little hairpin turn that Donna was
- talking about in the winter, you slide across
- the street.
- Another concern massive
- construction. I don't know what picking up a
- 10 marray 10 house and turning it around and moving it
  - entails. What sort of access will I have to the 11
  - street? Concerns of the precedent that it's

  - going to set for R-1 district. 13
  - 14 If it's passed how many other lots
  - are going to be subdivided or requested to be 15
  - 16 subdivided and how does this affect our
  - 17 community, especially R-1.
  - 18 But my largest concern with this
  - request is what I may have to teach and explain 19
- to my children. As a mother, I try every day to 17 15 15AV 20
  - teach our core values: Respect, kindness and 21
  - honesty. Trying to teach ethics to have them

- 1 make good choices, teaching them that every
- 2 action has an affect not only on you but on
- others as well, trying to teach them not to be
- 4 greedy or selfish, to think of others, to listen
- 5 first, to respect the rules that are in place.
- 6 Ethics are moral principles that
- 7 govern a person's behavior. There are two
- 8 aspects to ethics. First, the ability to
- 9 discern right from wrong; second is the
- 10 commitment to do what is good, right and proper.
  - 11 I know I'm losing some of you. Sorry.
  - 12 MR. MOBERLY: No. We are old.
  - MS. HOLMES: So my 6-year old son is
  - 14 asking valid questions on a daily basis. So
  - when he's faced with a decision, the questions
  - 16 we are trying to teach him to ask are is it
  - 17 right, is it fair and is it honest?
  - 18 I believe the most important job I
  - 19 have as a mother is to lay the foundation for my
- 20 children to become good citizens. In today's
  - 21 world it's becoming harder and harder.
  - 22 Actually, I like to believe, as many other
    - 127
    - 1 people say, it takes a village.
    - 2 I will say this whole situation has
    - 3 been very difficult for me. Public speaking and
    - 4 selling to others is not a strong quality of
    - 5 mine, however, in order to be a good teacher to
  - 6 my children, I believe I must stand up for what
  - 7 I feel is right.
  - 8 So over the last few weeks I have
  - gone out of my comfort zone, talked to people in
- the neighborhood in the R-1 area and asked their
  - 11 opinion. To my surprise, many people were
  - 12 unaware of the full request. Some were only
  - 13 given part of the information, misleading
  - 14 information regarding that they are saving a
  - 15 Zook home and not actually information on the
  - 16 lot size variance request.
  - 17 So when we are discussing there's
  - 18 no other remedy, I have looked beyond the
  - 19 ultimatum that's been presented before you and
- suggest that the zoning board deny the variance
  - 21 request. I can plead to the applicant, as many
  - 22 others have, to do other things to this home

- 1 that was built almost 90 years ago and to my
- 2 knowledgε, as many others have said, the sale of
- 3 the full lot has not been attempted. But
- 4 there's a value in the R-1 district in
- 5 preserving this area with big, beautiful lots
- 6 and big, beautiful homes on them.
- 7 One of my favorite stretches to
- 8 walk down is Fourth Street. I walk every day to
- 9 drop my children off at Covenant preschool.
- 10 Those homes are set back off the sidewalk. They
  - 11 are massive, peautiful homes with massive yards.
  - 12 There is nothing more beautiful when driving
  - 13 around Hirsdale to see something similar to
  - 14 that. So when reviewing the request, I
  - 15 sincerely hope the board considers the
  - 16 geographic area of R-1, the ethical values and
  - 17 the overall impact this could have on the
  - 18 village of Hinsdale.
  - 19 I would ask the zoning board the
- 20 same questions that I ask my son to make or
  - 21 think about when he's making a decision: Is it
  - 22 right, is it fair and is it honest? Thank you.

- 1 DR. HOENIG: Hi. My name is Jeanette
- 2 Hoenig. I'm not an architectural major or a
- 3 neighbor, I live 328 North Oak.
  - Im actually a physician and I'm
- 5 just used to looking at everything black and
- 6 white and looking at any disparities or things
- 7 that are clearly conflicting. So I have been
- 8 listening to the arguments today. I have never
- 9 made bad faces at anybody. I'm not emotional
- about the access to the street or the lot.
  - 11 One thing I wanted to address is
  - 12 what I hear as some of the argument is that the
  - 13 concern is coming from the fact that there is
  - 14 selfish motivation. And I think it could be
  - 15 said for anyoody protecting their home and their
  - 16 financial situation, but I don't think,
  - 17 obviously, you can base granting a variance on
  - 18 that.

- 19 Sut what I do want to point out is
- the issue being raised about setting a
  - 21 precedent. If you decide to grant the variance,
  - 22 and I am in support of -- I live on 328 North

- 1 Oak, it's an English cottage. It was built in
- the '90s but it's made to look very old so we 2
- kind of like that old house feel and I love 3
- those people that are trying to save old homes.
- I know that there were some 5
- comments made about hey, maybe you can get your 6
- friends to help you with some money and things 7
- like that and that's tough. I think we would
- love to have more money and be able to do more
- ::s::=v 10 things or be able to help our friends but there
  - can still be a genuine interest in saving a
  - 12 home.
  - 13 If you grant the variance and are
  - 14 afraid that that sets a bad precedent, I think
  - 15 as you have, Chairman, raised, you can set
  - certain stipulations that in this particular 16
  - 17 case because they are applying for historic
  - 18 status and it's a special kind of home, that
  - that is the reason this particular situation was 19
- 1, 12 (25) 20 considered as an exception.
  - 21 One thing that I find difficult in
  - 22 listening to all the arguments and hearing
    - 131
    - things about ethics and as a mother and
  - 2 listening to right and wrong, I think, okay,
  - what would I think myself objectively? And to
  - hear somebody saying in opposing something when 4
  - they, themselves, have a larger house on a
  - similar size yard is a discrepancy to me. That 6
  - 7 really comes out.
  - 8 And I think that I just wanted to
  - 9 point a few of these things out as somebody in
- July 10 the crowd listening. Obviously I'm here in
  - support of the Parkers, but I just wanted to
  - 12 address those few issues. Thank you.
  - 13 MS. FERGUSON: Hi. My name is Jennifer
  - Ferguson. I live at 821 South Elm Street in one 14
  - of the R-1 district homes that is on a lot that 15
  - 16 is not 30,000 square feet.
  - 17 I don't feel that my home has
  - denigrated the neighborhood in any way. I don't 18
  - 19 feel that my neighbors had a problem with that.
- ....... 20 I, too, had an arboretum view when I moved into
  - my lot but it now belongs to the Kostelnys, 21
  - which is one of the largest lots in the R-1

- district, and they built a pool house right up
- 2 against my lot line. I don't like it. I
- greatly enjoyed looking at their beautiful
- landscaping before they bought it. I don't have
- that ability anymore. But I tell my husband we
- didn't buy the view. If we wanted it, we needed
- to buy it. 7
- Unfortunately, the Holmes, you have 8
- a lot that your ratio to your lot size of your
- house is 1 to 3.6 and the Parkers will be 10 37 8:294 10
  - building or moving, if you allow them to, a
  - 12 4,000 square foot house on a 20,000 square foot
  - lot, which is a ratio of 1 to 5. So the
  - Brickmans should be happy about that. They will
  - not be getting another huge house on a small lot
  - 16 in their neighborhood.
  - 17 I will keep it short. That was my
  - main gist of what I needed to say. I feel that 18
  - 19 my house is definitely fine in my neighborhood.
- r 3:324 20 It's one of the smaller homes on a smaller lot.
  - 21 Everybody has been great to me. I think it
  - would be a true shame in all of this to lose a

- home that is in fact enhancing the character of
- this district by not permitting building on a
- lot that's similar in size to most of the R-1
- district. Thank you.
- 5 MR. BOUSQUETTE: I would like to make
- one closing comment. I do not believe there's
- an individual in the village of Hinsdale who has
- spent more time and more money trying to save
- 9 this house than me. I have spent months chasing
- 10 a 129v from committee to committee, forum to forum,
  - 11 notes to notes I have submitted all kinds of
  - documents. I vetted all kinds of neighbors. I 12
  - want to save this house too. I have spent tens 13
  - of thousands of dollars. 14
  - 15 What people don't understand, the
  - 16 filing fees to snow up for this meeting were
  - 17 \$1,800. That's before hiring a lawyer. That's
  - 18
  - before anything else. So I have carry costs
  - every month. I'm spending a fortune trying to
- save this house and I just need people to 12 77 EAPLY 20
  - understand that nobody has tried harder but 21
  - there's a reacty out there, too.

	1	0
1	.5	О

4	21	
1	.54	

1	At the end of the day, it's bad for
2	my family to keep spending \$10,000 a month to
3	try and save the Zook home when I have half the
4	town fighting with me to try and not do it. At
5	some point you look in the mirror and say, are
6	you insane? And so I'm here but I'm call me
7	Ebenezer Scrooge. I can't keep affording to
8	lose money to try and save a house that
9	everybody seems to want to save but just not in
10 16 024 10	their backyard.
11	Thank you very much. Have a good
12	evening. Thank you very much for your time. I
13	appreciate it. I know it's frustrating for you.
14	I know it's a little crazy but we waited months
15	to come see you. We really have. Months. We
16	have come every month for months and we really $ \\$
17	would like to place this forward. Honestly, you
18	don't even get to make the decision. We still
19	have many more meetings to go to if we are able
1424 20	to even save this house. So to suggest that I'm
21	revving the bulldozers because I'm some mean,
22	horrible guy who wants to destroy the house is

1 STATE OF ILLINOIS )
) ss:

2 COUNTY OF DU PAGE )

I, KATHLEEN W. BONO, Certified 3 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 pertaining hereto; that the testimony given by 10 said witnesses was reduced to writing by means 11 of shorthand and thereafter transcribed into 12 typewritten form; and that the foregoing is a 13 true, correct and complete transcript of my shorthand notes so taken aforesaid. 15 IN TESTIMONY WHEREOF I have 16 17 hereunto set my hand and affixed my notarial seal this 27th day of June, A.D. 2017. 18 19 20

KATHLEEN W. BONO,

C.S.R. No. 84-1423

135

21

22

crazy. Thank you. Have a good evening.
 CHAIRMAN NEIMAN: Is there a motion to

3 close the public hearing on --

4 MR. GILTNER: So moved.

5 MR. ALESIA: Second.

6 CHAIRMAN NEIMAN: V-04-17?

Roll call, please?

8 MS. BRUTON: Member Connelly?

9 MR. CONNELLY: Aye.

10 MS. BRUTON: Member Moberly?

11 MR. MOBERLY: Yes.

12 MS. BRUTON: Member Giltner?

13 MR. GILTNER: Yes.

14 MS. BRUTON: Member Alesia?

MR. ALESIA: Yes.

16 MS. BRUTON: Member Podliska?

17 MR. PODLISKA: Yes.

18 MS. BRUTON: Chairman Neiman?

19 CHAIRMAN NEIMAN: Yes.

(WHICH, were all of the proceedings

21 had, evidence offered or received

in the above entitled cause.)

KATHLEEN W. BONO, CSR 630-834-7779

33 of 50 sheets

STATE OF ILLINOIS	) ) ss:
COUNTY OF DU PAGE	,
	ONS OF THE HINSDALE B BOARD OF APPEALS
In the Matter of:	)
	)
435 Woodside,	)

Case No. V-04-17.

REPORT OF DISCUSSIONS had of the above-entitled matter before the Hinsdale Zoning Board of Appeals, at 19 East Chicago Avenue, Hinsdale, Illinois, on June 21, 2017, at the hour of 6:30 p.m.

#### BOARD MEMBERS PRESENT:

MR. ROBERT NEIMAN, Chairman;

MR. MARC C. CONNELLY, Member;

MR. KEITH GILTNER, Member;

MR. JOHN F. PODLISKA, Member;

MR. JOSEPH ALESIA, Member; and

MR. GARY MOBERLY, Member.

. \* \* \* \*

	2	ł	4
•	1 ALSO PRESENT:		1 house and the size of lot.
2	MS. CHRISTINE BRUTON, Deputy Village		I don't think this has been self-
_	Clerk;		3 created by the applicant. This property has
3			been in this condition for a long, long time.
	MR. ROBB McGINNIS, Director of	,	5 They didn't create this situation. The
4	Community Development;	6	
5	MR. MICHAEL MARRS, Village Attorney.	1 7	significant house and the very large size lot.
		8	
6		g	these owners of this property the opportunity to
7	CHAIRMAN NEIMAN: Who wants to begin	10 43 43PV 10	preserve a unique home. That's, I think, what
8		11	needs to be addressed here in terms of assuring
9	, , , , , , , , , , , , , , , , , , ,	12	that they are not denied a substantial right.
311 32PM 10	• •	13	
11 12	,	14	because I'm looking at one of the handouts here
13		15	and I'm looking at the properties just to the
14	want to maintain the 50,000 square foot lot.	16	north on Fourth Street and looking at all of
15 16	These people's motives are pure that want to save the Zook house. So just go have a beer	17	those small lots and it was included in the
17	with each other and chill out for a while.	18	materials that even now that this house is going
18	That's my general comment.	19	to be substantially smaller than others in the
19	I really believe there's good	10 44 ZaPA1 <b>20</b>	area and the lot itself is still going to be,
20 21	people in this village and I'd just like to see this room come together somehow. But I'll let	21	the ratio as was pointed out by one of the
22	somebody smarter than me start the discussion,	22	speakers, 1 to 5 between the size of the house
	3		5
1	the legal discussion.	1	and the size of the lot that it's going to be
2	CHAIRMAN NEIMAN: That's you, John.	2	placed on.
3	MR. PODLISKA: Looking at the criteria,	3	And certainly when it comes to a
4	first of all, with respect to unique physical	4	question of being in harmony with the
5	condition, I think we have to look at the lot	5	neighborhood, once again, it's going to be the
6	size and the house itself and the architectural	6	smallest house on the second largest lot. So I
7	significance of that house. That's the unique	7	think it continues to be in harmony. Not only
8	combination that we have to deal with here, and	8	is it in harmony, it essentially the Zook
9	I think they meet the criteria showing a unique	9	house, in some sense, defines this neighborhood.
2 E6PM 10	physical condition because we have both the	10 15 38241 10	And in that sense it meets the next
11	architectural building that I think one thing	11	criteria, promotes the essential character of
12	that everybody is agreeable to here I think is	12	the area. We had a lot of discussion about that
13	that everybody is making the best effort we can	13	there's no other means to achieve the end here,
14	to make sure that that house doesn't get torn	14	but we need to take a look at the complete
15	down and it continues to exist.	15	wording of that requirement. It isn't just when
16	And unfortunately for that house,	16	we say there's no other remedy. That's not
17	it's sitting on this large lot and, therefore,	17	simply a challenge to say well, can we come up
18	it puts an economic conflict in play with	18	with some other way to deal with this. Because
19	respect to how to deal with that problem and so	19	all of that has to be conditioned upon the last
20		10:45:40901 20	clause in that requirement.
21	physical condition because of the relationship	21 22	It has to be there aren't any other
22	between the nature of the house, the size of the KATHLEEN W. BONO,		means sufficient to permit a reasonable use of a  34-7779 2 of 8 sheets
			2 5: 5 5:10215

- 1 property. And I think that by once we look at
- 2 the complexity of that requirement, we can see
- 3 that these other proposed solutions do not meet
- 4 that part of it. They are not sufficient to
- 5 permit a reasonable use of the property because
- 6 there's a suggestion, for instance, well, just
- 7 if you want to preserve the house, preserve the
- 8 house, and deal with it as it is on the property
- **9** of that magnitude. But that's not a reasonable
- 1945 38PM 10 way to deal with this property.
  - 11 This property, as we have heard
  - 12 people say, it could be sold tomorrow. If we
  - 13 are looking at what's reasonable here, it isn't
  - 14 what's aesthetically pleasing to all of us. It
  - 15 would be what would be reasonable to do with
  - 16 this property would be to sell the entire piece
  - 17 of it, and I guess there's some controversy
  - 18 between how you would maximize the return on
  - 19 this property.
- There's a suggestion that dividing
  - 21 it up is an effort to make money. But it seems
  - 22 to me that the way you would really maximize
    - 7
    - this, if that was the issue, you would sell the
    - 2 entire piece of property as it now exists and it
    - 3 would fetch a much higher price because of the
    - 4 size of the structure that could be put on that
    - 5 property. So I think we have met here -- the
    - 6 applicant had met here the last criteria.
    - 7 Now, I think too, though, that we
  - 8 should put limits on this and that were
  - 9 mentioned during the discussion, that the
- applicant -- it should be a condition of what we
  - 11 approve if we approve this variance, a
  - 12 recommendation that this variance be approved,
  - 13 that the applicant be compelled by our
  - 14 recommendation to seek landmark status for this
  - 15 Zook house. And that there be additional land
  - 16 acquired so that that 1 to 5 ratio that we have
  - 17 been discussing for 20,000 square foot property
  - 18 is in fact what we end up with.
  - 19 MR. CONNELLY: I couldn't say it better
- 20 than that. I grew up in a Zook house at 405
  - 21 East Seventh Street, and I just want to commend
  - 22 the Parkers for what they are doing. I think

- it's great.
- MR. MOBERLY: Concur.
- 3 MR. GILTNER: I would agree with John.
- 4 I think the hardship centers on this
- 5 preservation and we wouldn't approve this
- 6 variance if there wasn't a Zook house involved
- 7 in this.
- 8 I listened to the comments about
- 9 precedence and I don't see a risk in that.
- 10 First, this hasn't come up before ever, right?
  - 11 I mean, that's what we are hearing. This is the
  - 12 first time it's come up. So that gives you some
  - 13 indication that there's not a lot of properties
  - 14 where this can actually be done and just because
  - 15 we make a decision to allow this for
  - 16 preservation purposes, does not in any way
  - 17 indicate how we would rule on something in the
  - 18 future. So I just wanted to make that point.
  - 19 And I do agree there should be the
- 20 conditions that you mentioned with the landmark
  - 21 status as a part of this.
  - MR. ALESIA: John's eloquence, as
    - Ç
  - 1 usual, with those two conditions, I would agree.
  - 2 CHAIRMAN NEIMAN: I think that we had
  - 3 discussed a third condition, the Zook house
  - 4 actually would have to be moved. After it's
  - 5 moved, you would apply for landmark status and
  - 6 that some additional land would be deeded over
  - 7 to keep the land ratio.
  - 8 Are the owners in agreement with
  - 9 all of those criteria?
- MR. PARKER: Yes. Just so you know,
  - 11 the latter one is already in the contract.
  - MR. MOBERLY: What happens if the house
  - 13 falls down during the move? How is that
  - 14 contemplated once we grant the variance?
  - 15 CHAIRMAN NEIMAN: I think it has to
  - TO CHARACTURAN. I CHIRA IC HAS I
  - 16 assume that the house can and will be
  - 17 successfully moved, survive the move.
  - 18 Otherwise, everybody will be ringing their
  - 19 hands, and the neighbors in opposition will have
- 20 at least one, maybe two gargantuan homes
  - 21 destroying their views, and all we can do is
  - 22 cross our fingers but it's a fair point. No one

	10		12
<b>'</b>	,		MR. McGINNIS: I have not calculated
2	• • • • • • • • • • • • • • • • • • • •	;	2 FAR or building coverage or lot coverage. All
3		;	we looked at at this point are the unless
4		4	
5	•	6	The only thing we looked at were setbacks.
6	,	e	MR. PARSONS: We have it on that one
7	( )	7	
8		8	•
9	what will become the Parkers' lot to maintain	9	3 · · · · · · · · · · · · · · · ·
1251 3290 10	the ratio that was discussed earlier.	10 53 30PA1 10	number, that FAR number, into your
11	MR. PODLISKA: Because it's a	11	recommendation.
12	, , , , ,	12	CHAIRMAN NEIMAN: That would be
13	our reasons, so we could include for the reasons	13	perfect. Thank you for resolving that.
14	stated and the conditions stated.	14	Is there a motion to recommend
15	CHAIRMAN NEIMAN: Yes. And what I	15	approval of the variance to the board of
16	recommend, Chris, rather than my trying to	16	trustees with the three provisions previously
17	repeat all of the reasons as John stated them	17	stated?
18	why we believe that the criteria have been met,	18	MR. PODLISKA: And for the reasons
19	you can type up a recommendation incorporating	19	previously stated.
1. to uses 20	those and the remarks of the other board members	10 54 00PA 20	CHAIRMAN NEIMAN: That too.
21	so that the board of trustees has the	21	MR. PODLISKA: So moved.
22	substantive reasons why we came to this decision	22	MR. CONNELLY: Second.
	11		13
1	that would, I hesitate to say, shorten the	1	CHAIRMAN NEIMAN: Roll call, please?
2	evening, but it would shorten it.	2	MS. BRUTON: Member Connelly?
3	MR. McGINNIS: We will have a	3	MR. CONNELLY: Aye.
4	transcript of the deliberations.	4	MS. BRUTON: Member Moberly?
5	MR. GILTNER: The deeding of the	5	MR. MOBERLY: Yes.
6	additional land was that for frontage or was	6	MS. BRUTON: Member Giltner?
7	that for a ratio?	7	MR. GILTNER: Yes.
8	MR. McGINNIS: No, it's for a required	8	MS. BRUTON: Member Alesia?
9	rear yard. In order to make their 50-foot	9	MR. ALESIA: Yes.
·3 27 44PU 10	required rear yard in the R-1, they have to have	10	MS. BRUTON: Member Podliska?
11	the excess property deeded over from the 444	11	MR. PODLISKA: Yes.
12	East Fourth property.	12	MS. BRUTON: Chairman Neiman?
13	MR. BOUSQUETTE: Robb, it's in the	13	CHAIRMAN NEIMAN: Yes.
14	original submittal that you guys have so	14	I'd like to thank everyone for
15	everybody has what would be the final lot size.	15	their input. This was not an easy evening for
16	The proposed plat is included in the	16	any of us and all I can do is hope that everyone
17	information.	17	understands each other's views and tries harder
18	MR. McGINNIS: It wasn't so much a	18	than you have to not ascribe bad action, bad
19	ratio as it was making sure that those required	19	motivations to each other. It would be very
030029 20	yara miminamo aro men	12 54 2574 20	easy for us to sit here and say yes, both sides
21	CHAIRMAN NEIMAN: Okay. So with	21	could be accused of being mercenary here.
22	that	22 CCD 630 91	It's also easy for us to sit here

	14		16
1	and say both sides have entirely pure motives	1	STATE OF ILLINOIS )
2	and are trying to do the right thing for		) ss: COUNTY OF DU PAGE )
3	themselves and their children. But merely	2	COUNTY OF DU PAGE )
4	because you disagree with the other side,	3	I, KATHLEEN W. BONO, Certified
5	doesn't mean they are evil people.	4	
6	I recommend that the community take	5	
7	that to heart. I recommend Congress take it to	6	
8	heart. I have nothing else to say.	7 8	examination and testimony of the various witnesses herein, they were duly sworn by me to
9	MR. GILTNER: Motion to adjourn.	9	testify the truth in relation to the matters
12 55 35P41 10	MR. CONNELLY: Second.	10	pertaining hereto; that the testimony given by
11	CHAIRMAN NEIMAN: Roll call, please?	11	said witnesses was reduced to writing by means
12	MS. BRUTON: Member Connelly?	12	of shorthand and thereafter transcribed into
13	MR. CONNELLY: Aye.	13	typewritten form; and that the foregoing is a
14	MS. BRUTON: Member Moberly?	14 15	true, correct and complete transcript of my shorthand notes so taken aforesaid.
15	MR. MOBERLY: Yes.	16	IN TESTIMONY WHEREOF I have
16	MS. BRUTON: Member Giltner?	17	hereunto set my hand and affixed my notarial
17	MR. GILTNER: Yes.	18	seal this 28th day of June, A.D. 2017.
18	MS. BRUTON: Member Alesia?	19	
19	MR. ALESIA: Yes.	20	KATHLEEN W. BONO,
20	MS. BRUTON: Member Podliska?	20	C.S.R. No. 84-1423
21	MR. PODLISKA: Yes.	21	5.5
22	MS. BRUTON: Chairman Neiman?	22	
	15		
. 1	CHAIRMAN NEIMAN: Yes.		
2	(WHICH, were all of the		

1	CHAIRMAN NEIMAN: Yes.
2	(WHICH, were all of the
3	discussions had in the
4	above entitled cause.)
5	
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Zoning	Calendar	No.	
-			

# VILLAGE OF HINSDALE APPLICATION FOR VARIATION

## COMPLETE APPLICATION CONSISTS OF TEN (10) COPIES (All materials to be collated)

FILING FEES: RESIDENTIAL VARIATION <u>\$850.00</u>

NAME OF APPLICANT(S): MATTHEW BOUSQUETTE
ADDRESS OF SUBJECT PROPERTY: 435 WOODSIDE
TELEPHONE NUMBER(S): 630.463 - 2725
If Applicant is not property owner, Applicant's relationship to property owner.
DATE OF APPLICATION: 3/6/2017

### SECTION I

Please	comp	lete	the	foll	owing

ll trustees and be	eneficiaries of the trust:	
	F	
pplicant. Name,	address, and telephone number of applicant, if different from owner,	, and
plicant's interes	it in the subject property:	
	Address and legal description of the subject property: (Use separate sl	
	Address and legal description of the subject property: (Use separate slon if necessary.) 435 words to find the fourth st	
	on if necessary.) 435 WOODSIDE /444 & FOURTH ST	
	on if necessary.) 435 WOODSIDE /444 & FOURTH ST	
	on if necessary.) 435 WOODSIDE /444 & FOURTH ST	
or legal description	on if necessary.) 435 WOODSIDE /444 & FOURTH ST	
or legal description	on if necessary.) 435 woods de final the st	
Consultants. Nan	on if necessary.) 435 woods to 444 & fourth st  EXHIBIT "A"  me and address of each professional consultant advising applicant volication:	
Consultants. Namespect to this app	on if necessary.) 435 woods de final to structure struct	with
Consultants. Namespect to this app	on if necessary.) 435 woods to 144 E fourth ST  EXHIBIT "A"  me and address of each professional consultant advising applicant volication:  Correctly ERA 630-343-3060	with
Consultants. Namespect to this app	on if necessary.) 435 woods de final to structure struct	with

6.	<u>Village Personnel</u> . Name and address of any officer or employee of the Village with an interest in the Owner, the Applicant, or the Subject Property, and the nature and extent of					
	that interest:					
	a					
	p					
7.	Neighboring Owners. Submit with this application a list showing the name and address of each owner of (1) property within 250 lineal feet in all directions from the subject property; and (2) property located on the same frontage or frontages as the front lot line or corner side lot line of the subject property or on a frontage directly opposite any such frontage or on a frontage immediately adjoining or across an alley from any such frontage.	ехн <b>ты</b> († <b>1</b>				
	After the Village has prepared the legal notice, the applicant/agent must mail by certified mail, "return receipt requested" to each property owner/occupant. The applicant/agent must then fill out, sign, and notarize the "Certification of Proper Notice" form, returning that form and all certified mail receipts to the Village.	<u> </u>				
8.	Survey. Submit with this application a recent survey, certified by a registered land surveyor, showing existing lot lines and dimensions, as well as all easements, all public and private rights-of-way, and all streets across and adjacent to the Subject Property. $\bar{\epsilon} \times \bar{\epsilon} \times \epsilon$	E				
9.	Existing Zoning. Submit with this application a description or graphic representation of the existing zoning classification, use, and development of the Subject Property, and the adjacent area for at least 250 feet in all directions from the Subject Property.	CÎ FI				
10.	Conformity. Submit with this application a statement concerning the conformity or lack of conformity of the approval being requested to the Village Official Comprehensive Plan and the Official Map. Where the approval being requested does not conform to the Official Comprehensive Plan or the Official Map, the statement should set forth the reasons justifying the approval despite such lack of conformity.	हें फ				
11.	Zoning Standards. Submit with this application a statement specifically addressing the manner in which it is proposed to satisfy each standard that the Zoning Ordinance establishes as a condition of, or in connection with, the approval being sought.	in F				
12.	Successive Application. In the case of any application being filed less than two years after the denial of an application seeking essentially the same relief, submit with this application a statement as required by Sections 11-501 and 11-601 of the Hinsdale Zoning Code.					

#### SECTION II

When applying for a variation from the provisions of the Zoning Ordinance, you must provide the data and information required above, and in addition, the following:

- 1. <u>Title</u>. Evidence of title or other interest you have in the Subject Project, date of acquisition of such interest, and the specific nature of such interest.
- 2. <u>Ordinance Provision</u>. The specific provisions of the Zoning Ordinance from which a variation is sought:

ZONENG Codes 3-110(c)(i) AND 10-105

3. <u>Variation Sought</u>. The precise variation being sought, the purpose therefor, and the specific feature or features of the proposed use, construction, or development that require a variation: (Attach separate sheet if additional space is needed.)

TO REDUCE TOTAL Required lot area from

30,000 sq. ft. to 20,002 sq. ft After which,
a code compliant existing Fook Home at 444 E

Fourth at will be Re-positioned on the lot. No

other Mariances would be needed re sought

4. <u>Minimum Variation</u>. A statement of the minimum variation of the provisions of the Zoning Ordinance that would be necessary to permit the proposed use, construction, or development: (Attach separate sheet if additional space is needed.)

Decking ZBA Recommendation and Trustee

Brand Approval.

5. <u>Standards for Variation</u>. A statement of the characteristics of Subject Property that prevent compliance with the provisions of the Zoning Ordinance and the specific facts you believe support the grant of the required variation. In addition to your general explanation, you must specifically address the following requirements for the grant of a variation:

- (a) Unique Physical Condition. The Subject Property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure of sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the Subject Property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current lot owner.
- (b) Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the Subject Property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.
- (c) <u>Denied Substantial Rights</u>. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the Subject Property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.
- (d) Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.
- (e) <u>Code and Plan Purposes</u>. The variation would not result in a use or development of the Subject Property that would not be in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.
- (f) <u>Essential Character of the Area</u>. The variation would not result in a use or development of the Subject Property that:
  - (1) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use development, or value of property of improvements permitted in the vicinity; or
  - (2) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
  - (3) Would substantially increase congestion in the public streets due to traffic or parking; or

	(4)	Would unduly increase the danger of flood or fire; or				
	(5)	Would unduly tax public utilities and facilities in the area; or				
	(6)	Would endanger the public health or safety.				
(g)	the al perm (Atta	No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Subject Project.  (Attach separate sheet if additional space is needed.)				
	EX	4131T F				
	****					

#### **SECTION III**

In addition to the data and information required pursuant to any application as herein set forth, every Applicant shall submit such other and additional data, information, or documentation as the Village Manager or any Board of Commission before which its application is pending may deem necessary or appropriate to a full and proper consideration and disposition of the particular application.

- A copy of preliminary architectural and/or surveyor plans showing the floor plans, exterior elevations, and site plan needs to be submitted with each copy of the zoning petitions for the improvements.
- 2. The architect or land surveyor needs to provide zoning information concerning the existing zoning; for example, building coverage, distance to property lines, and floor area ratio calculations and data on the plans or supplemental documents for the proposed improvements.

#### SECTION IV

- 1. <u>Application Fee and Escrow</u>. Every application must be accompanied by a non-refundable application fee of \$250.00 plus an additional \$600.00 initial escrow amount. The applicant must also pay the costs of the court reporter's transcription fees and legal notices for the variation request. A separate invoice will be sent if these expenses are not covered by the escrow that was paid with the original application fees.
- 2. Additional Escrow Requests. Should the Village Manager at any time determine that the escrow account established in connection with any application is, or is likely to become, insufficient to pay the actual costs of processing such application, the Village Manager shall inform the Applicant of that fact and demand an additional deposit in an amount deemed by him to be sufficient to cover foreseeable additional costs. Unless and until such additional amount is deposited by the Applicant, the Village Manager may direct that processing of the application shall be suspended or terminated.
- 3. <u>Establishment of Lien</u>. The owner of the Subject Property, and if different, the Applicant, are jointly and severally liable for the payment of the application fee. By signing the applicant, the owner has agreed to pay said fee, and to consent to the filing and foreclosure of a lien against the Subject Property for the fee plus costs of collection, if the account is not settled within 30 days after the mailing of a demand for payment.

#### SECTION V

The owner states that he/she consents to the filing of this application and that all information contained herein is true and correct to the best of his/her knowledge.

Name of Owner:	MATTHEW BOUSQUEITS
Signature of Owner:	mathew C Bought
Name of Applicant:	
Signature of Applicant:	<i>( i</i>
Date:	3/2/2017

#### **Exhibit A**

#### **Legal Description**

435 Woodside/444 E Fourth St

Lots 1,2,3,4,18 and 19, together with that part of the Vacant Street lying East of and adjoining said Lot 1 measured 28.66 feet on North and 3.07 feet on south, and also that part of the vacated street lying East and adjoining said lot 19 measured 33.07 on North and 33.66 on South, in the resubdivision of the South ½ of the Northeast ¼ and the North ½ of the North ½ of the Southeast ¼ of Section 12, Township 8 North Range 11, East of the third principal meridian in Dupage County Illinois

# **DuPageMaps - Parcel Report**

**User Request Date:** Monday, March 6, 2017 Copyright 2017 - The County of Dupage, Illinois



DuPage County IT - GIS Department 421 N. County Farm Rd Wheaton, IL 60187 USA Ph# (630) 407-5000 www.dupageco.org

	SOURCE SOUR SERVICE SAN LOS CONTROL CONTROL MINERA PROPRIATA DE CONTROL DE CO
PIN Bill Name	0912214003
Property Number	CODE, ANDREW W
Property Street Direction	406 E
Property Street Name	SAD:ST
Property Apartment	GELV.O.I.
Property City	HINSDAUE
Property Zip	60521
PIN	0912214004
Bill Name	CODE, ANDREW TR
Property Number	420
Property Street Direction	E
Property Street Name	3RDIST
Property Apartment	
Property City Property Zip	HINSDALE 60521
i topotty zip	00321
PIN	0912214008
Bill Name	PETERSON TR, ROBT & DEBRA
Property Number	327
Property Street Direction	S .
Property Street Name	OAKST
Property Apartment	
Property City Property Zip	HINSDALE 60521
PIN	0912214009
Bill Name	CHILLO, MICHAEL & J
Property Number	411
Property Street Direction	E
Property Street Name	4THST
Property Apartment	
Property City Property Zip	HINSDALE 60521

PIN 0912214010

BIII Name GERAMI, GERALD & E

Property Number 419

Property Street Direction E

Property Street Name 4TH ST

**Property Apartment** 

Property City HINSDALE

Property Zip 60521

PIN 0912214011

BIII Name FLAHERTY, MICHAEL & LINDA

Property Number 425

Property Street Direction E

Property Street Name 4TH ST

**Property Apartment** 

Property City HINSDALE

Property Zip 60521

PIN 0912214012

BIII Name SCALES, JOHN & KAREN

Property Number 495

Property Street Direction E

Property Street Name 4TH ST

Property Apartment

Property City HINSDALE

Property Zip 60521

PIN 0912214013

BIII Name NAPLETON, PAUL & K

Property Number 441

Property Street Direction E

Property Street Name 4TH ST

Property Apartment

Property City HINSDALE

Property Zip 60521

PIN 0912214017

Bill Name DAZE, ERIC & GUYLAINE

Property Number 445

Property Street Direction E

Property Street Name 4TH ST

Property Apartment

Property City HINSDALE

Property Zip 60521

PIN 0912214018

Bill Name CICERO 7215 & 1ST IL 7224

Property Number 330

Property Street Direction S

Property Street Name COUNTY LINE RD

**Property Apartment** 

Property City HINSDALE

Property Zip 60521

PIN 0912221001

Bill Name THORSNESS, WILLIAM W TR

Property Number 412

Property Street Direction E

Property Street Name 4TH ST

**Property Apartment** 

Property City HINSDALE

Property Zip 60521

PIN 0912221002

BIII Name NERAD, JERRY & ANN TR

Property Number 420

Property Street Direction E

Property Street Name 4TH ST

**Property Apartment** 

Property City HINSDALE

Property Zip 60521

PIN 0912221004

Bill Name HALEAS, PETER J

Property Number 419

Property Street Direction S

Property Street Name OAK ST

**Property Apartment** 

Property City HINSDALE

Property Zip 60521

PIN 0912221005

Bill Name HOLMES, KEVIN & JOY

Property Number 425

**Property Street Direction** 

Properly Street Name WOODSIDE AVE

**Property Apartment** 

Property City HINSDALE

Property Zip 60521

PIN	0912221006
Bill Name	BOUSQUETTE, MAITHEW C
Property Number Property Street Direction	444 E
Property Street Name	4TH ST
Property Apartment	
Property City Property Zip	HINSDALE 60521
Property Elp	
PIN	0912221008
Bill Name	BOUSQUETTE, MATTHEW C
Property Number Property Street Direction	444 E
Property Street Name	4TH ST
Property Apartment	
Property City	HINSDALE 60521
Property Zip	00521
PIN	0912221009
BIII Name	BOUSQUETTE, MATTHEW C
Property Number	444
Property Street Direction	
Property Street Name Property Apartment	4TH ST
Property City	HINSDALE
Property Zip	60521
PIN	0912222003
Bill Name	BENSON, DONALD & JOAN 455
Property Number Property Street Direction	**************************************
Property Street Name	WOODSIDE AVE
Property Apartment	
Property City	HINSDALE 60521
Property Zip	00521
PIN	0912222004
Bill Name	AUERBACH, DARLENE M
Property Number	420
Property Street Direction	S COUNTY LINE PD
Property Street Name Property Apartment	COUNTY LINE RD
Property City	HINSDALE
Property Zip	60521

PIN 0912222005

**Bill Name** HARRISON TR, MARK & G

**Property Number** 

436

**Property Street Direction** 

S

**Property Street Name** 

COUNTY LINE RD

**Property Apartment** 

**Property City** 

HINSDALE

Property Zip

60521

PIN 0912222009

Bill Name WRIGHT, SHEILA & PETER TR

**Property Number** 452 **Property Street Direction** Ε

Property Street Name 4TH/ST

**Property Apartment** 

**Property City** HINSDALE

**Property Zip** 60521

PIN 0912222010

**Bili Name** BOUSQUETTE, MATTHEW C

**Property Number** 

**Property Street Direction** Ε

Property Street Name 4TH ST

**Property Apartment** 

HINSDALE **Property City** 

Property Zip 60521

0912226002 PIN

REEDY, MARY M **Bili Name** 

424 **Property Number** 

**Property Street Direction** Ε

**WOODSIDE AVE Property Street Name** 

**Property Apartment** 

HINSDALE **Property City** 

**Property Zip** 60521

0912226003 PIN

YERLIOGLU, BEN E **Bill Name** 

**Property Number** 440

**Property Street Direction** 

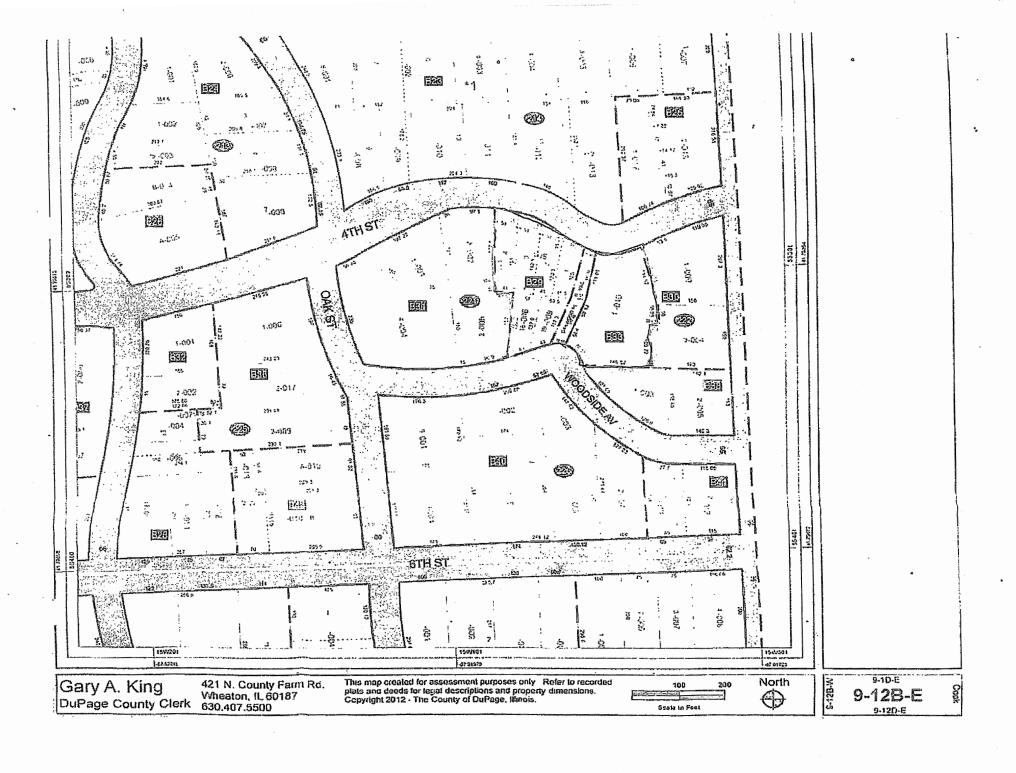
Property Street Name WOODSIDE AVE

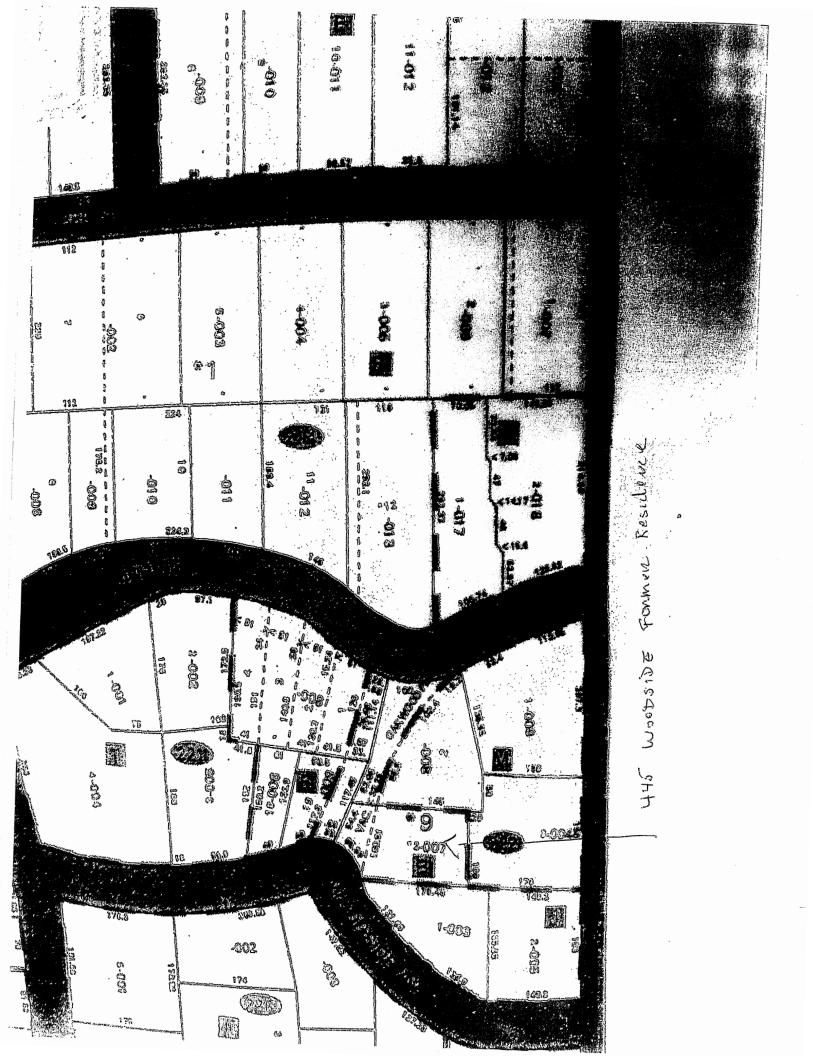
**Property Apartment** 

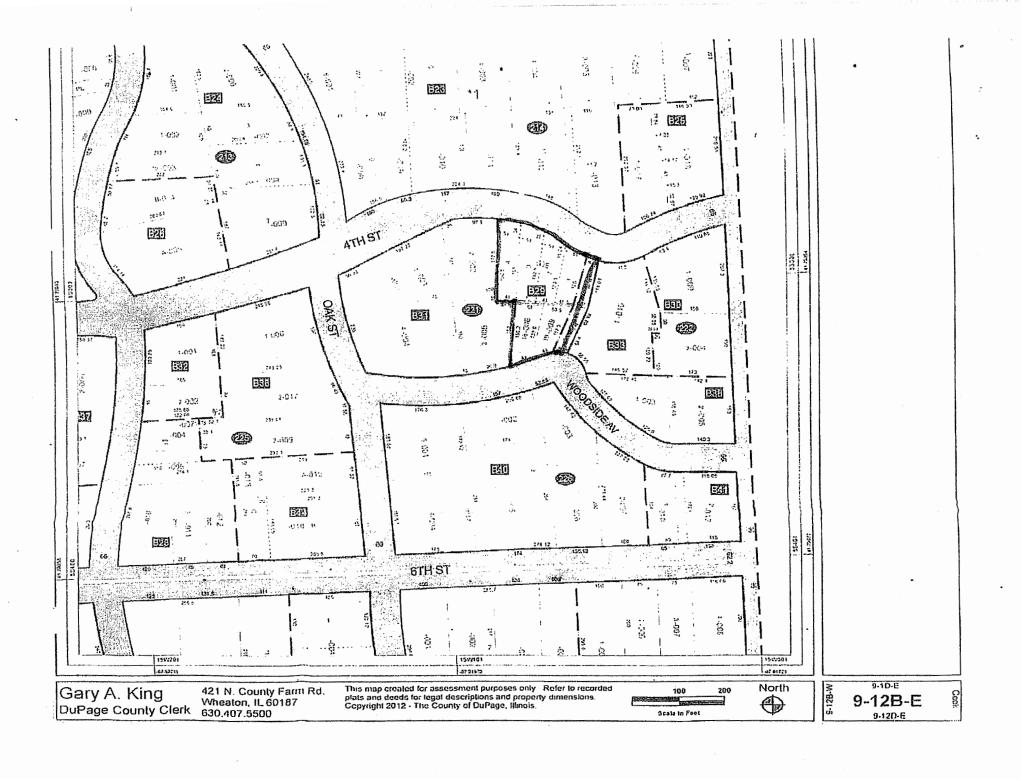
HINSDALE Property City **Property Zip** 60521

ÖÇ. 11/1 ST : Ob 4052 MUCHISIDE IN (76,4) DuPage County
Information Technology Department / GIS Division
421 N County Farm Rd.
Wheaton, IL 60187

Ph#1(630)407-5000
Email gis@dupageco.org
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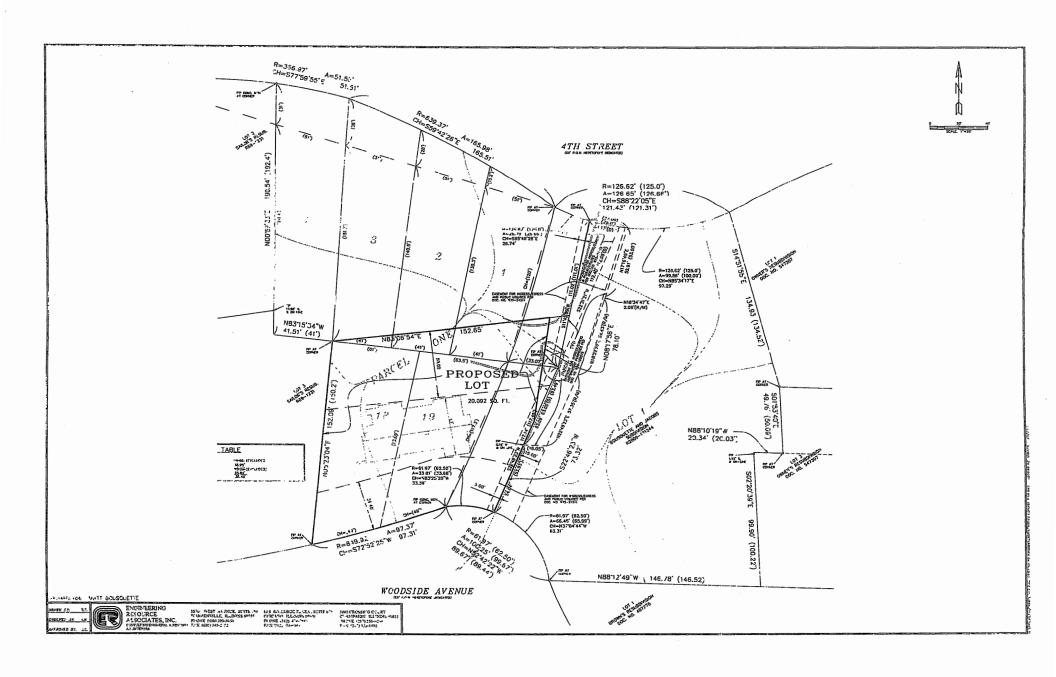


Exhibit D

Existing Zoning

Property is zoned R-1 Single Family District

Hinsdale Zoning Code Section 3-101:

Four (4) zoning districts are provided for single-family residential development. The single-family residential districts blend, in combination with the multiple-family residential districts described in article IV of this code, to provide a reasonable range of opportunity for the development and preservation of housing types consistent with the existing residential character of the village.

The single-family districts provide for a limited range of housing densities consistent with the village's established residential neighborhoods. The R-1 and R-2 districts allow for lower density residential use and large lot sizes. The R-3 and R-4 districts allow for somewhat higher density residential use and smaller lot sizes.

Taken as a whole, the single-family district regulations are intended to perpetuate the existing high quality residential character of the village by preserving established neighborhoods and encouraging new residential development consistent with the overall character of the village. Only service uses that are compatible with the single-family residential character of each zoning district are allowed in addition to the permitted residential uses. (1991 Code)

#### Exhibit E

#### Conformity

The subject property is: 152.09 X 152.65 X 78.10 X 73.32 X 33.68 X 97.37 ft. The lot is irregular but the list of dimensions above represent the dimension string of each piece of the proposed property lines starting at southwest corner of the lot and proceeding counter-clockwise all the way around the proposed lot. The lot area of the proposed lot is 20,092 square feet.

According to Section 3-110-c-1 of the Village Zoning Code, Legal,
Nonconforming Lots of Record shall have a minimum lot area of 30,000sq ft.
for the R-1 District. (It should be noted that in the study commissioned by
the Village less than 9% of lots in the R-1 District meet this requirement).

The current proposed lot consists of two legal lots of record (Lot 18/19) — both with their own tax PINs. The two lots are sq. ft. and sq. ft. respectively. They measure 84 x 15x94x116 and 48 x 152x61x135. The plan would be to combine the two lots and add an additional sq. ft. from 444 E Fourth St. The resultant lot at 443 Woodside (expected address) would be 20,093 sq. ft. The lot would be 9,907 short of The subject property is: 152.09 X 152.65 X 78.10 X 73.32 X 33.68 X 97.37 ft. The lot is irregular but the required minimum lot size in the R-1 District. The Code grants the Board of Trustees that Authority, but not the Zoning Board (Section 11-503(E)(1c) only allows for a variance of up to 10%—000sq ft.). However, the Applicant petitions for the ZBA concurrence prior to proposing to the Board of Trustees.

The variance requested proposed should be approved for the following reasons:

- 1) It will allow for the repositioning and preservation of one of the few remaining homes in Hinsdale designed by Harold Zook.
- 2) The proposed lot size of 20,091 sq. ft. would make it the second largest lot on Woodside and 10% larger than the average lot on the block.
- 3) The historical street density would not be increased as the adjacent lot 445 Woodside included a two story home which was demolished and will not be built upon in the future should this request be granted.
- 4) The Zook home is approximately 4100 sq. ft. in size and it would make it the smallest home on the block by approximately 25%.

#### Exhibit F

#### Standard for Variation

The proposed lot would conform in width and depth to the regulations. The street frontage on Woodside would be over 135 feet. The overall lot would have sq. foot area of 20,092. The current Lots 18 and 19 facing Woodside are vacant lots of 8,461 sq. ft. and 10,251 sp. ft. respectively. Combined they would have 18,712 sq ft before the additional sq ft from 444 Fourth St. To our knowledge, these lots have never had an address or a home on them and thus, legal non-conforming lots we simply seek to make larger to accommodate an existing Zook home. The lot requested is larger than all but one on the block and is larger than the majority of the homes in the R-1 District.

Unique Physical Conditions-- The Property was originally subdivided well before the current code was adopted.

Not Self-Created--The unique condition of the lots- 8,461 sq. ft. and 10,251 sq. ft. (less than 30,000Sq ft. lot area) existed at the time of the enactment of the provisions from which this variation is sought. The Existing Zook home was built in 1929 in its current location on its oversized (53,000 sq. foot lot).

Denied Substantial Rights-- If not granted, the Zook home would not be able to be relocated to the lot and the owner would not be able to construct a home on the property. This would deprive the owner from rights enjoyed by every single property owner on the block-- all of whom have smaller lots and larger homes. There are no conforming lots to the R-1 District on the street ( $125 \times 150 + 30,000 \text{ sq. ft.}$ ).

Not Merely Special Privilege—the ability to reposition the Zook home in a single family R-1 district most of the lots are smaller and the homes larger is not a special privilege. The average lot size on the block on Woodside is 18,369 sq. The proposed lot at 20,092 sq. ft would be almost 10% larger.

Code and Plan Purposes.—The requested variance is in the general spirit of the code allowing the construction of Single Family homes in Residential Districts. It would allow the placement of a home 25% smaller in sq. footage than the average of the block on the second largest lot on the block.

Essential Character of the Area: The granting of the variance would not result in use or development of the property that:

Would be materially detrimental to the public welfare or enjoyment, or the value of property of improvements permitted in the area

Would materially impair the adequate supply of light and air to the properties and improvements in the vicinity. (It should be noted that the structure would be 50% of the size of the neighbor to the north on the same sized lot. The neighbor to the south is now—and will remain a vacant parcel after the demolition of the existing home. Thus there would be no density increase between the two parcels.

Would substantially increase congestion in the public streets due to traffic or parking

Would unduly increase the danger of flood or fire

Would unduly tax public utilities and facilities in the area

Would endanger the public health and safety.

The requested variation would not have a negative impact on any aspect of the questions outlined in (f) 1-6. The repositioning of the Zook home on Woodside would be: 1) Consistent with the lot size of the block; 2) Small for the home size on the block; 3) Not increase density as 445 Woodside (adjacent lot) two story home was demolished and will not be rebuilt in this plan; 4) Allows the preservation of a home many call quintessential Hinsdale.

#### School G

#### No Other Remedy

This request for a Woodside lot represents an attempt to save an 89 year-old Zook House. The house is in excellent condition. It was maintained beautifully by all previous owners, most notably, Al and Lila Self. Mrs. Self was very active in the Hinsdale Preservation society and worked extensively to document the history of all the Zook homes in the village, not just her own.

At this point, her former residence, and the Parker's currently, faces the potential of demolition. Simply put, the mortgage and taxes on this property are dramatically inconsistent with a home of this size. To be clear, someone that can afford the costs associated with the large lot will undoubtedly want a much bigger home in return. This will mean tearing down the Zook home in order to build a larger one. This is unpalatable to the owner because he has a fondness for this Zook house, and because he lives next door and does not want to see a house built on that lot that would dwarf those around it and dramatically change the character of the neighborhood.

The current zoning regulations would allow a home of approximately 15,000 sq feet could be built on Woodside/4<sup>th</sup> St. The home would be 3 times the size of the average sq foot home on either Woodside or Fourth St. For perspective the home under construction at 328 8<sup>th</sup> St. is on a small lot than the combined lots of Fourth/Woodside.

If the zoning variance is allowed, it will provide for a lot on Woodside that is still larger than average on Woodside, where the Zook house can be re-located and preserved, and where the ratio of yard to home will actually be superior to those surrounding it. The proposed rezoning also allows the Parkers to maintain their residence in the home without being forced to move. The proposed rezoning also improves the look and feel of Woodside. It accomplishes all of these positive things without any substantial negative repercussions. The proposed rezoning doesn't even create a very actionable precedent to be concerned about because the circumstances here are so unique (preserving a Zook House by creating a smaller-than-conforming lot where the new lot is still larger than average for the neighborhood).

We'll also show that we have the support of the immediate neighbors, the broader neighborhood, the preservation society, and village at large, and that we've thought of all levels of detail even improving the overall drainage situation for the residents in this area between Woodside and 4th Street. Understanding that variances are typically hard to grant, we feel this one should be anything but difficult with all we have to gain/preserve as a community and how little we have to lose, however if there's anything else you'd like to see before the public hearing, please let us know. In the meantime, we hope you will all take the opportunity to stop by and visit the home and proposed lot.

#### **Christine Bruton**

From:

Kevin Holmes <kevin\_l\_holmes@yahoo.com>

Sent:

Tuesday, April 18, 2017 1:21 PM

To:

Zoning Board of Appeals

Cc:

Robert McGinnis; joy.holmes20@gmail.com

Subject:

Case V-04-17 435 Woodside

Attachments:

VC-04 – 435 Woodside.docx; ATT00001.txt

Dear Chairman Neiman and the Zoning Board of Appeals-

Please see the attached document regarding our opposition to the variation request referenced in Case V-04-17 435 Woodside.

Thanks in advance-

Kevin and Joy Holmes 425 Woodside Avenue, Hinsdale Date: April 18, 2017

To: Robert K. Neiman, Zoning Board of Appeals Chair

Village of Hinsdale Zoning Board of Appeals

Robert McGinnis, Director of Community Development/Building Commissioner

From: Kevin and Joy Holmes, 425 Woodside Avenue, Hinsdale

RE: Case V-04-17 - 435 Woodside

Dear Chairman Neiman and Members of the Board:

We wanted to write the board to address our opposition to the variance request being sought in Case V-04-17 – 435 Woodside.

My name is Kevin Holmes and I reside with my wife, Joy, and our 3 children ages 6, 4 and 1 at 425 Woodside Avenue (so our lot sits directly to the west of this new proposed lot). To give you a little background, we moved into a newly constructed house in early May, 2016. During our initial walk-through we fell in love with not only the home, but the neighborhood and areas immediately surrounding the property. The large lot sizes in the Robins Park Historical District and the abundant tree coverage (especially in the back of 444 E. 4<sup>th</sup> Street lot) provided a feel that is hard to find in Hinsdale. The idea of raising our family in this area excited us so we bought the house and moved in. This excitement changed a short 8 months later when we received the certified letter informing us of the applicant's plans.

Our main objection to the proposal is that 444 E. 4<sup>th</sup> Street is in the R-1 zoning district and according to the Village of Hinsdale's Zoning Section 3-101: Purposes "The single-family district provide for a limited range of housing densities consistent with the village's established residential neighborhoods. The R-1 and R-2 district allows for lower density residential use and larger lot sizes. The R-3 and R-4 districts allow for somewhat higher density residential use and smaller lot sizes". So, the zoning codes specifically state that the R-1 district's primary focus should be on preserving lower density residential use and larger lot sizes. Further, when evaluating special requests, Section 2-102: Interpretation of district sequence B. "Special Rule" implicitly states that the R-1 District "shall be deemed to be the most restrictive residential district". If allowed, the new size of the lot on Woodside Ave would be 20,092 sa ft. According to Section 3-110: Bulk, Space and Yard Requirements the minimum lot area in the R-1 zone is 30,000 sq ft. This variance request is proposing the size of the new lot to be 2/3<sup>rd</sup> the minimum which is required according to the zoning code. This request is by no means a small concession to the zoning code. Allowing these lots to be split would go against the R-1 District's primary stated purpose according to the village's zoning codes. To my knowledge, there has not been a single request for a variance related to the lot size in the R-1 zoning district approved in the past 10 years. We don't believe a variance request of this magnitude should be the first. Approving this variance request would go against the Village's code as well as the clearly stated objective of the R-1 district while also set a dangerous precedent for future lot size variance requests.

This alone should be reason for the Zoning Board to reject this variation request. However, the application for variation requires the applicant to provide details explaining what prevents the subject property from complying with the provisions of the Zoning Ordinance and specifically explain the facts they believe support the grant of the required variation. We would like to address these in our opposition and give further justification for the zoning board to reject this request.

#### Standards for Variation:

#### (a) Unique Physical Condition.

In the variation request the applicant points out that all the other lots on Woodside are less than the required 30,000 square feet and that granting this request the new 435 Woodside address would be the 2<sup>nd</sup> largest lot on the block. While this is true he fails to point out several of the other lots on the block and their dimensions (although they don't have Woodside addresses their driveways are accessed via Woodside). The home at 419 S. Oak sits on a lot that is 49,000 square feet. The applicants other house at 447 E. 4<sup>th</sup> is also on this block and is roughly 40,000 square feet. So, the current size of the 444 E. 4<sup>th</sup> street lot by no means presents a unique physical condition to other properties on the block nor the R-1 district.

#### (b) Not Self-Created

The Zook home was built on the subject property in 1929. The applicant purchased the property less than 4 years ago. The applicant contends that the Zook house has a unique physical characteristic in that it was built on an "oversized lot" for the size of the house. If that is true it's hard to believe that the applicant didn't realize this prior to purchasing the property in late 2013.

#### (c) Denied Substantial Rights

According to Rob McGinnis there have been no variance requests for a reduction in lot size in the R-1 district that he is aware of. The denial of this request would by no means deprive the applicant of any rights commonly enjoyed be owners of other lots subject to the same provisions. Contrary, the approval of this request would give the applicant a right not enjoyed by any owner in the R-1 district previously and would set a dangerous precedent for future requests.

#### (d) Not Merely Special Privilege

The main justification the applicant argues for in this variance request is that the approval would allow for the preservation of the Zook home. If the variance request were to be approved it would be due largely because of the existing Zook home on the subjected property. This by definition would constitute a special privilege not available to other owners in the area. This is not a request because of any hardship, it is a variation request in order to maximize financial gain.

#### (e) Code and Plan Purposes

The Village's Comprehensive Plan for the R-1 district is for large lot size and low density. This plan was set forth to guide the future and long-range goals of the village. This variance request goes against this stated plan. If the applicant's argument is that currently 90% of the homes in the R-1 don't comply with the required 30,000 minimum lot size requirement set out in the zoning code he should move to have the Comprehensive Plan changed for the R-1 district.

#### (f) Essential Character of the Area

If approved, this request would adversely affect the enjoyment our family currently experiences. Further, this variance request would add to the congestion on an already narrow/small street. Although the applicant states that there was a house at 445 Woodside Avenue he fails to point out that this house was torn down over 20 years ago. No one who currently lives on Woodside Avenue would have experienced what the impact on traffic and congestion would have been by having this additional address. It would also have a negative impact on the look and feel of Woodside Avenue as it most certainly will require the removal of several mature trees that currently line the back half of 444 E. 4<sup>th</sup> street.

#### (g) No Other Remedy

In his response, the applicant states, in part, "Simply put, the mortgage and taxes on this property are dramatically inconsistent with a home of this size. To be clear, someone that can afford the costs associated with the large lot will undoubtedly want a much bigger home in return. This will mean tearing down the Zook home in order to build a larger one. This is unpalatable to the owner because he has a fondness for this Zook house, and because he lives next door and does not want to see a house built on that lot that would dwarf those around it and dramatically change the character of the neighborhood." According to the records, the applicant purchased the current 444th 4th street property (the entire area comprised of lots 1, 2, 3, 4, 18, 19) in September 2013. He lived in the house while his neighboring property was getting renovated and moved out sometime in the spring of 2016. The MLS history of the current home and lot were never put back on the market to sell "as is". There has only been an attempt to sell the lots as 2 separate properties. During the pre-hearing on March 15, the applicant even stated "I have been at this since May". If the applicant was truly interested in the preservation of the Zook home and character of the neighborhood as opposed to the profit we would gain from the lot division wouldn't he have given an honest attempt to sell the lot as is? If he were worried about buyer tearing down the Zook house he could have applied for landmark status to prevent that from ever happening. If the carrying costs of such an action were detrimental why not start that process while he was still living in the house? He knew he was eventually going to move out of the house and into his property next door. There are certainly remedies available other than the sub-division of the lot, they just have not been pursued by the applicant.

The demolition of the Zook house would be an unfortunate result if the request is denied and the applicant chooses to sell the home to a developer. The preservation of Zook homes is rightly a priority of the Village of Hinsdale. The village enacted a program to help preserve Zook homes by giving significant tax advantages to people who buy Zook houses and rehab them to bring them more in line with today's standards. This could be a beautiful example of this program which is why it is so disheartening that the applicant has chosen not to pursue it. The village's incentive program for Zook home preservation comes in the form of tax relief not by approving lot size variance requests. Additionally, the approval of this variance request does not ensure the preservation of the Zook house. Once the lot is divided there is nothing stopping the current or subsequent owners from demolishing the home and building another home in its place.

The idea of my family (with our small children) and the neighbors living through what will surely be several years of construction seems like an unnecessary burden. Woodside Avenue is a short/narrow

street with limited sidewalks and is not designed for high traffic. Adding a construction project and another residence to this small block doesn't seem fair to the current residence of Woodside Avenue. Towards this point, please find a list of our neighbors and fellow residents of the R-1 zoning district who are also adamantly against the proposed variance request (Exhibit 1). This list includes the residence at 455 Woodside Avenue who are the closest neighbors to the east of the proposed new lot.

In closing we'd like to emphasize a final point- last year we moved our family from our home at 532 Walker Road, a home and a neighborhood we very much enjoyed, to the Robins Park Historical District because we wanted a larger lot and more space. We chose 425 Woodside specifically because we liked the house and loved having the views from the east side of the house which look out onto the back half of the neighboring lot. Splitting the 444 E. 4<sup>th</sup> Street lot and adding a home directly to our east goes against the very reason we moved to this area. And, as stated above, goes against the intention of The Robins Park Historical District's purpose and codes.

We trust the Village of Hinsdale Zoning Appeals Board will give much thought into what is in the best interests of my family, our neighbors, the village and The Robins Park Historical District.

Thank you in advance for your time and attention to this matter.

Sincerely-

Kevin and Joy Holmes

### Exhibit 1

. The cilizens of the Village of Hinsdale, petition to maintain the current stated purpose of the R-1 Zoning District which is to allow for lower density and larger lot sizes.

The R-1 Zoning District of Hinsdale and specifically the Robbins Park Historical District is a much desired area in Hinsdale largely because of the lot sizes and the village regulations. The following people of Hinsdale patition against the proposal to divide the lot at 444 E. 4° Street into two lots and the creation of a new lot which does not meet the minimum R-1 zoning requirement of 30,000 square feet.

We suggest that the Hinsdale Zooing Board of Appeal deny the request to split 444 E. 4° Street (V-04-17, 435 Woodside).

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Date: May 12, 2017

To: Robert K. Neiman, Zoning Board of Appeals Chair

Village of Hinsdale Zoning Board of Appeals

Robert McGinnis, Director of Community Development/Building Commissioner

From: Kevin and Joy Holmes, 425 Woodside Avenue, Hinsdale

RE: Case V-04-17 – 435 Woodside

Dear Chairman Neiman and Members of the Board:

We wanted to write the board to address our opposition to the variance request being sought in Case V-04-17-435 Woodside.

My name is Kevin Holmes and I reside with my wife, Joy, and our 3 children ages 6, 4 and 1 at 425 Woodside Avenue (so our lot sits directly to the west of this new proposed lot). To give you a little background, we moved into a newly constructed house in early May, 2016. During our initial walkthrough we fell in love with not only the home, but the neighborhood and areas immediately surrounding the property. The large lot sizes in the Robins Park Historical District and the abundant tree coverage (especially in the back of 444 E. 4<sup>th</sup> Street lot) provided a feel that is hard to find in Hinsdale. The idea of raising our family in this area excited us so we bought the house and moved in. This excitement changed a short 8 months later when we received the certified letter informing us of the applicant's plans.

Our main objection to the proposal is that 444 E. 4th Street is in the R-1 zoning district and according to the Village of Hinsdale's Zoning Section 3-101: Purposes "The single-family district provide for a limited range of housing densities consistent with the village's established residential neighborhoods. The R-1 and R-2 district allows for lower density residential use and larger lot sizes. The R-3 and R-4 districts allow for somewhat higher density residential use and smaller lot sizes". So, the zoning codes specifically state that the R-1 district's primary focus should be on preserving lower density residential use and larger lot sizes. Further, when evaluating special requests, Section 2-102: Interpretation of district sequence B. "Special Rule" implicitly states that the R-1 District "shall be deemed to be the most restrictive residential district". If allowed, the new size of the lot on Woodside Ave would be 20,092 square ft. According to Section 3-110: Bulk, Space and Yard Requirements the minimum lot area in the R-1 zone is 30,000 square ft. This variance request is proposing the size of the new lot to be 2/3rd the minimum which is required according to the zoning code. This request is by no means a small concession to the zoning code. Allowing these lots to be split would go against the R-1 District's primary stated purpose according to the village's zoning codes. To my knowledge, there has not been a single request for a variance related to the lot size in the R-1 zoning district approved in the past 10 years. We don't believe a variance request of this magnitude should be the first. Approving this variance request would go against the Village's code as well as the clearly stated objective of the R-1 district while also set a dangerous precedent for future lot size variance requests.

This alone should be reason for the Zoning Board to reject this variation request. However, the application for variation requires the applicant to provide details explaining what prevents the subject property from complying with the provisions of the Zoning Ordinance and specifically explain the facts

they believe support the grant of the required variation. We would like to address these in our opposition and give further justification for the zoning board to reject this request.

Standards for Variation:

#### (a) Unique Physical Condition.

In the variation request the applicant points out that all the other lots on Woodside are less than the required 30,000 square feet and that granting this request the new 435 Woodside address would be the 2<sup>nd</sup> largest lot on the block. While this is true he fails to point out several of the other lots on the block and their dimensions (although they don't have Woodside addresses their driveways are accessed via Woodside). The home at 419 S. Oak (north/west corner of Oak and Woodside) sits on a lot that is 49,000 square feet. The home at 511 S. Oak (south/west corner of Oak and Woodside) is on a lot over 30,000 square feet. The applicants other house at 447 E. 4<sup>th</sup> is also on this block and is roughly 40,000 square feet. In fact, there are several lots greater than 40,000 square feet in the immediate area of the subject property (exhibit 1). All of these homes illustrate that the current size of the 444 E. 4<sup>th</sup> street lot by no means presents a unique physical condition to other properties on the block nor the R-1 district.

#### (b) Not Self-Created

The Zook home was built on the subject property in 1929. The applicant purchased the property less than 4 years ago. The applicant contends that the Zook house has a unique physical characteristic in that it was built on an "oversized lot" for the size of the house. If that is true it's hard to believe that the applicant didn't realize this prior to purchasing the property in late 2013.

#### (c) Denied Substantial Rights

According to Rob McGinnis there have been no variance requests for a reduction in lot size in the R-1 district that he is aware of. The denial of this request would by no means deprive the applicant of any rights commonly enjoyed be owners of other lots subject to the same provisions. Contrary, the approval of this request would give the applicant a right not enjoyed by any owner in the R-1 district previously and would set a dangerous precedent for future requests.

#### (d) Not Merely Special Privilege

The main justification the applicant argues for in this variance request is that the approval would allow for the preservation of the Zook home. If the variance request were to be approved it would be due largely because of the existing Zook home on the subjected property. This by definition would constitute a special privilege not available to other owners in the area. The standards for the variation request specifically states that the hardship or difficulty should not merely be the inability to make more money from the use of the subjected property. This is not a request because of any hardship, it is a variation request specifically to maximize financial gain.

#### (e) Code and Plan Purposes

The Village's Comprehensive Plan for the R-1 district is for large lot size and low density. This plan was set forth to guide the future and long-range goals of the village. This variance request goes against this stated plan. The applicant argues that currently 90% of the homes in the R-1 don't comply with the required 30,000 minimum lot size requirement set forth in the zoning codes and

that should be reason for the board to approve the request. However, the composition of the R-1 district has not dramatically changed since the zoning codes were introduced. So one might assumed when these codes were being written the potential for splitting lots was the very reason the codes required this minimum lot size for a new lot. If the applicant believes this minimum is too onerous he should move to have the zoning codes and the comprehensive plan changed for the R-1 district.

#### (f) Essential Character of the Area

If approved, this request would adversely affect the enjoyment our family currently experiences at our home. Further, this variance request would add to the congestion on an already narrow/small street. Although the applicant states that there was a house at 445 Woodside Avenue he fails to point out that this house was torn down over 20 years ago. No one who currently lives on Woodside Avenue would have experienced what the impact on traffic and congestion there would have been with the addition of this additional address. It would also have a negative impact on the look and feel of Woodside Avenue as it most certainly will require the removal of several mature trees that currently line the back half and sides of 444 E. 4<sup>th</sup> street.

#### (g) No Other Remedy

In his response, the applicant states, in part, "Simply put, the mortgage and taxes on this property are dramatically inconsistent with a home of this size. To be clear, someone that can afford the costs associated with the large lot will undoubtedly want a much bigger home in return. This will mean tearing down the Zook home in order to build a larger one. This is unpalatable to the owner because he has a fondness for this Zook house, and because he lives next door and does not want to see a house built on that lot that would dwarf those around it and dramatically change the character of the neighborhood." According to the records, the applicant purchased the current 444th 4th street property (the entire area comprised of lots 1, 2, 3, 4, 18, 19) in September of 2013. He lived in the house while his neighboring property was getting renovated and moved out sometime in the spring of 2016. The MLS history of the current home and lot were never put back on the market to sell "as is". There has only been an attempt to sell the lots as 2 separate properties. During the pre-hearing on March 15, the applicant even stated "I have been at this since May". If the applicant was truly interested in the preservation of the Zook home and character of the neighborhood as opposed to the profit he would achieve from the lot division wouldn't he have given an honest attempt to sell the lot as is? If he were worried about the buyer tearing down the Zook house he could have applied for landmark status to prevent that from ever happening. If the carrying costs of such an action were detrimental why not start that process while he was still living in the house? He knew he was eventually going to move out of the house and into his property next door. There are certainly remedies available other than the sub-division of the lot, they just have not been pursued by the applicant.

The demolition of the Zook house would be an unfortunate should the request be denied and the applicant choose to sell the home to a developer. The preservation of historic homes is rightly a priority of the Village of Hinsdale. The village enacted a program to help preserve Zook homes by giving significant tax advantages to people who purchase historic homes and rehab them to bring them more in line with today's standards. There are serval examples of this program being utilized specifically with other Zook homes- 430 E. 3<sup>rd</sup> St and recently 46 S. County Line Rd to name a couple. This could be

another beautiful example of this program which is why it is so disheartening that the applicant has chosen not to pursue it. If the applicant truly has a fondness for the Zook house and is interested in preserving the character of the neighborhood shouldn't he attempt to sell the home to someone who will take advantage of this program? The village's incentives for historic home preservation comes in the form of tax relief not by approving lot size variance requests. Additionally, the approval of this variance request does not ensure the preservation of the Zook house. Once the lot is divided there is nothing stopping the current or subsequent owners from demolishing the home and building another home in its place on this new lot. Not to mention the possibility the historic home gets damaged in the transition to the proposed lot.

The idea of my family (with our small children) and the neighbors living through what will surely be several years of construction seems like an unnecessary burden. Woodside Avenue is a short/narrow street with limited sidewalks and is not designed for high traffic. Adding a construction project and another residence to this small block doesn't seem fair to the current residence of Woodside Avenue. Towards this point, please find a list of over 20 signatures from our neighbors and fellow residents of the R-1 zoning district who are also adamantly against the proposed variance request (Exhibit 2). This list includes the residence at 455 Woodside Avenue (the closest neighbors to the east of the new proposed lot), the residence at 425 Woodside Avenue (the bordering neighbor to the west of the new proposed lot) along with several of our neighbors on the block.

In closing we'd like to emphasize a final point- last year we moved our family from our home at 532 Walker Road, a home and a neighborhood we very much enjoyed, to the Robins Park Historical District because we wanted a larger lot and more space. We chose 425 Woodside specifically because we liked the house and loved having the views from the east side of the house which look out onto the back half of the neighboring lot. Splitting the 444 E. 4<sup>th</sup> Street lot and adding a home directly to our east goes against the very reason we moved to this area. And, as stated above, goes against the intention of The Robins Park Historical District's purpose and codes.

We are thankful that there is a process required when one wishes to make changes which do not comply with the village codes. We are also grateful that there is a Zoning Board in charge of hearing and deciding on these requests. Some of the previous requests the Zoning Board has heard are cases where the subject property has been under ownership of the applicant or the applicant's family for many years (often times before the zoning codes were even introduced). In these cases, there is a hardship created because the new zoning codes were introduced and without any action from the owner their properties were now subjected to these new codes. This is not the case in this request. The applicant purchased the subjected property less than 4 years ago- over 30 years after these codes were introduced. The applicant seems to be requesting that the Zoning Board approve his request because he owns an old house on a large lot in the R-1 district. The reality is there are many old homes on large lots in the R-1 district and if this request is approved it will set a terrible precedent which will surely open the door to many more requests to divide these existing lots. We, along with our neighbors in the R-1 district, hope the Zoning Board chooses not to establish this precedent and votes against this variance request.

Thank you in advance for your time and attention to this matter.

Sincerely-

Kevin and Joy Holmes

## Exhibit 1

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- b) Accept and Place on File the Post-Issuance Tax Compliance Report (First Reading August 15, 2017)
- c) Approve paid time off in the amount of 37.5 hours per fiscal year for permanent parttime employees who annually work at least 21 hours per week and have been employed with the Village of Hinsdale for at least one year (*First Reading – August 15*, 2017)

**Environment & Public Services (Chair Byrnes)** 

Approve a Resolution approving the 2017 Accelerated Resurfacing construction contract Change Order #1, to reduce the contract value by an amount not to exceed \$19,033 to ALamp Concrete Contractors (*First Reading – August 15, 2017*)

Approve an Ordinance Authorizing the Vacation of a Certain Portion of an Unimproved Alley Situated East of and Adjoining 829 S. Thurlow Street in the Village of Hinsdale, DuPage and Cook Counties, Illinois\*\*\*

**Zoning & Public Safety (Chair Stifflear)** 

Approve an Ordinance Authorizing the Disposal of Personal Property owned by the Village of Hinsdale\*\*\*

#### 10. SECOND READINGS / NON-CONSENT AGENDA - ADOPTION

These items require action of the Board. Typically, items appearing for Second Reading have been referred for further discussion/clarification or are zoning cases that require two readings. In limited instances, items may be included on the Non-Consent Agenda that have not had the benefit of a First Reading due to emergency nature or time sensitivity.\*\*\*\*

**Zoning & Public Safety (Chair Stifflear)** 

a) Approve an Ordinance Approving a Lot Size Variation for Property Located at 435 Woodside Avenue, Hinsdale, Illinois – Matt Bousquette/Kris & Tracy Parker – ZBA Case Number V-04-17\*\* (*First Reading – August 15, 2017*)

 Approve an Ordinance Approving a Variation for a Front and Interior Side Yard Encroachment as a Reasonable Accommodation – 122 W. Walnut Street\*\* (Public Hearing – August 15, 2017)

#### 11. DISCUSSION ITEMS

- a) Humane Society, Robert Crown Center location
- b) Burlington Park Fountain
- c) Extension of Café la Fortuna's temporary use
- d) Construction update
- e) Update on proposed I-294 Tollway expansion

#### 12. DEPARTMENT AND STAFF REPORTS

- a) Parks & Recreation
- b) Economic Development
- c) Community Development

#### 13. REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

#### 14. OTHER BUSINESS

#### 15. NEW BUSINESS

16. CITIZENS' PETITIONS (Pertaining to any Village issue)\*

#### 17. TRUSTEE COMMENTS

18. CLOSED SESSION- 5 ILCS 120/2(c) (1)/(2)/(3)/(5)/(8)/(11)/(21)

#### 19. ADJOURNMENT

\*The opportunity to speak to the Village Board pursuant to the Citizens' Petitions portions of a Village Board meeting agenda is provided for those who wish to comment on an agenda item or Village of Hinsdale issue. The Village Board appreciates hearing from our residents and your thoughts and questions are valued. The Village Board strives to make the best decisions for the Village and public input is very helpful. Please use the podium as the proceedings are videotaped. Please announce your name and address before commenting.

\*\*\*Routine items appearing on the Consent Agenda may include those items that have previously had a First Reading, the Accounts Payable and previously-budgeted items that fall within budgetary limitations and have a total dollar amount of less than \$500,000.

\*\*\*\*Items included on the Non-Consent Agenda due to "emergency nature or time sensitivity" are intended to be critical business items rather than policy or procedural changes. Examples might include a bid that must be awarded prior to a significant price increase or documentation required by another government agency to complete essential infrastructure work.

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to promptly contact Darrell Langlois, ADA Coordinator, at 630-789-7014 or by TDD at 630-789-7022 to allow the Village of Hinsdale to make reasonable accommodations for those persons.

Website http://villageofhinsdale.org



#### **MEMORANDUM**

DATE:

September 5, 2017

TO:

President Cauley and the Village Board of Trustees

CC:

Kathleen A. Gargano, Village Manager

Robb McGinnis, Director of Community Development/Building Commissioner

FROM:

Chan Yu, Village Planner

RE:

Discussion Item – 21 Salt Creek Lane (former Robert Crown Center)

Hinsdale Humane Society - Proposed Renovation and Change of Use

Mr. Michael Matthys, the architect on behalf of the Hinsdale Humane Society, is seeking feedback from the Board of Trustees, for their plan to relocate the Hinsdale Humane Society from 22 N. Elm Street to the former Robert Crown Center at 21 Salt Creek Lane. The subject property is zoned IB, Institutional Buildings District, and an animal humane society use is subject to the issuance of a Special Use Permit.

Mr. Matthys seeks to address any potential concerns from the Board of Trustees (BOT) prior to their formal Special Use Permit and Exterior Appearance/Site Plan application submittal to the Plan Commission (PC) and BOT. The plan is to submit the applications for the PC to schedule the public hearing for the October 11, 2017, PC meeting, and the BOT Agenda for First Reading on November 7, 2017.

#### Attachments:

Attachment 1 - Cover Letter from Michael Matthys, Architect for Hinsdale Humane Society (includes draft floor plan, site plan and exterior illustrations)

Attachment 2 - Zoning Map Location of 21 Salt Creek Lane

Attachment 3 – Birds Eye View of 21 Salt Creek Lane

Attachment 4 - Street View of 21 Salt Creek Lane

#### 8-24-2017

Board of Trustees
Department of Community Development
Village of Hinsdale
19 East Chicago Avenue
Hinsdale, IL 60521

#### Re: Hinsdale Humane Society

Dear Village Board of Trustees,

The Hinsdale Humane Society is in the process of purchasing property at 21 Salt Creek Lane in Hinsdale, Illinois to remodel the existing building into an animal shelter, administration offices and education center. We would like to be placed on the September 5<sup>th</sup> Village Board meeting agenda to present our concept to receive feedback and direction. HHS would also like to take this opportunity to introduce our new Director, Tom Van Winkle.

The property represents a transformational opportunity for HHS to better deliver on its mission by increasing its animal adoptions, expand humane education programming, bring together our shelter and administrative staff (currently in separate locations) and provide a modern aesthetic and space for staff, volunteers and the community.

Moving forward we will be requesting a special use from the Village of Hinsdale Board to operate an Animal Shelter / Humane Society at the proposed property within the Institutional Buildings District. We are scheduled to appear at the plan commission meeting on September 13<sup>th</sup> to schedule a public hearing for the October plan commission meeting. I have included a summary of the proposed project below along with attachments including; program summary sheet, proposed floor plan, site plan, landscape plan, and exterior elevations.

#### The Property:

- Lot size is 101,377 square feet, approximately 2.3 acres
- Bordered by Salt Creek on two sides, located within a flood plain
- Built in the mid 1970's, poured concrete construction
- Approximately 15,000 square feet on the first floor

#### HHS' Vision for a New Facility:

- Become the destination animal shelter and welfare center for the western suburbs of Chicago, acting as a community resource for a pet loving public
- Provide a modern and comfortable space for animals, a welcoming environment for public viewing, following guidelines for Shelter Standards of Care
- Increase kennel space relative to current facility to allow more animal intake, care and adoptions
- Dedicated space for proper animal exam, treatment and care of animals taken in for adoption (vet services)
- Improve/increase programming (fee-based and free), particularly humane education and pet therapy provided at the facility (vs. offsite locations today)
- Unify our staff; currently split between two sites (shelter staff and admin staff) under one roof providing proper office, meeting and break space

#### **Exterior Improvement Summary**

- Enhanced Landscaping.
- Removal of existing bus parking impervious area to the rear of the property.
- Addition of parking spaces in the front and side yard of the building oriented to the front entry.

- Added foundation landscape planting along building at entrance drive. (currant drive runs into building with no landscaping.
- Walking path, donor paver plaza, bike rack, and pedestrian benches.
- Fenced in outdoor play yard.
- New grade mounted signage at drive entrance.
- Updated masonry façade materials with new windows coordinating with updated program layout.
- New relocated trash enclosure.

#### More about HHS:

Hinsdale Humane Society was founded in 1953 as a nonprofit organization dedicated to the care and adoption of homeless animals. HHS advocates for education and public service to encourage the compassionate treatment of animals and to prevent their suffering and neglect. A voice for companion animals that are completely dependent on people for their care, HHS promotes the belief that animals are entitled to both our respect and our protection. As an active member of the animal welfare community for 64 years, HHS operates a busy 16-dog kennel and 16-cat condo animal shelter in Hinsdale, Illinois, a suburb of Chicago. Each year, HHS facilitates adoption of approximately 900 animals and returns over 100 lost animals to their families through stray animal services in the village and the 9 surrounding suburbs. Additionally, HHS saves 350-400 animals, mostly dogs, through its transfer program where HHS takes in animals, which would otherwise be euthanized in "high kill" shelters. HHS is known for its outstanding shelter care for animals. We are a "no kill" shelter which takes pride in our exemplary live release rate. We also focus on people, connecting the health and well-being of humans and their communities back to their pets. In this way, HHS serves as an integral member of the community-at-large. By offering outreach, education, obedience classes and support for people of all ages, we act as a resource for pet lovers throughout the broader community. Additionally, HHS has a very robust pet therapy program, with over 50 volunteers who improve the lives of seniors and children through programs at schools, libraries, nursing homes, hospitals, and rehabilitation centers.

We look forward to hearing feedback from the Village board on the future plans to relocate our existing services to an updated state of the art regional humane society. Please let me know if any additional information is required.

Sincerely,

Michael Matthys Linden Group Architects



# HINSDALE HUMANE SOCIETY PROGRAM/SPACE NEEDS ASSESSMENT APRIL 28, 2017 MEETING

ADMIN	NISTRATIVE	
	Executive Office (1) 150 sf	150 sf
	Private Offices (3) 100 – 120 sf each	360 sf
	Semi-Private Office Partitions (6) 50 – 80 sf each	480 sf
	Board Room – Capable of seating 14 people + Guest Space	400 sf
	Break Room – Kitchenette	150 sf
	Mail/Copy/Supplies/Storage Room	120 sf
	Staff Restrooms M & F (2 persons each)	250 sf
	Circulation Allowance @ 40%	765 sf
11.	TOTAL	2,675 sf
PUBLI	C	
	Reception Desk (2 person with workspace)	200 sf
	Seated Waiting Area (10 – 15 seats)	150 sf
	Adoption Display Pods (Dogs & Cats 5-6 units each)	180 sf
	Counseling/"Get Acquainted" Rooms (Min. 5) 64 sf each	320 sf
	Classroom/Multi-Purpose Room (direct after-hour access desired)	600 sf
	Classroom Storage	100 sf
	Public Restrooms M&F (2 persons each)	250 sf
	Circulation Allowance @ 50%	900 sf
	TOTAL	2,700 sf
KENNI	FLS	
	Intake/Holding Dog Kennels (12) @ 15 sf each	180 sf
	Intake/Holding Cat Kennels (12) @ 4 stacks of 3 each at 10sf/stack	40 sf
	Police Stray Drop Off Kennels (6 Dogs + 2 Cat Stacks)	110 sf
	Isolation Kennels (4 Dogs + 2 Cat Stacks)	80 sf
	Adoptable Dog Kennels (Min 24)	360 sf
	Adoptable Cat Kennels (Min 36) 12 stacks of 3	120 sf
	Circulation Allowance @ 75%	668 sf
O.	TOTAL	1,558 sf
	TOTAL	1,550 31
	AL SUPPORT	
	Dog Wash Area (2) Includes work area in front of each sink (5x7)	70 sf
	Cat Wash Area (2) Includes work area in front of each sink (4x7)	56 sf
	Walk-In Freezer	64 sf
	Laundry Room	100 sf
	Food Preparation Room	100 sf
	Food Storage Room	100 sf
	Exam/Procedure Room	150 sf
Н.	Grooming/Treatment Room	100 sf
I.	Volunteer Ready Room (Break/Locker/Log-In Area)	120 sf
	Volunteer Coordinator Office	100 sf
K.	Kennel Staff Restroom M&F (1 person each)	128 sf
L.	Circulation Allowance @ 40%	435 sf
M.	Garage for Van Parking	360 sf
	TOTAL	1,883 sf
	TOTAL ALL PROGRAM SPACES	8,816 sf
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# SITE 6

LEGEND

#### ALTA/NSPS LAND TITLE SURVEY **FOR**

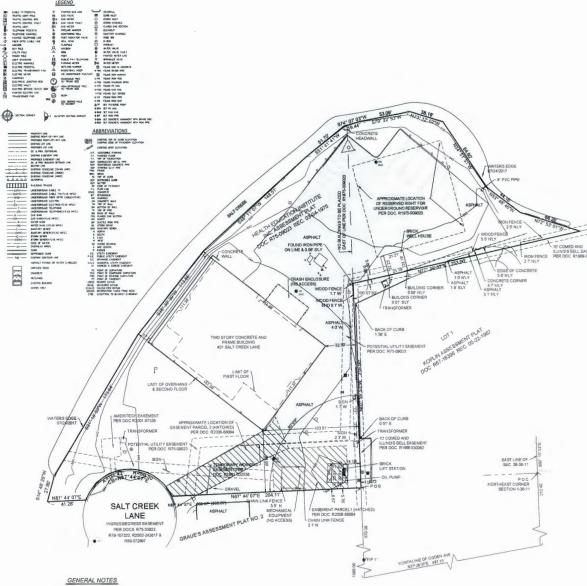
#### ROBERT CROWN CENTER

HINSDALE, IL

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- OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATE REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY SERVICE
- CALL JULIE AT 1-800-892-0123 FOR FIELD LOCATION OF UNDERGROUND UTILITIES PRIOR TO ANY DIGGING OR CONSTRUCTION
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- A CURRENT TITLE COMMITMENT WAS PROVIDED FOR SURVEYOR'S USE AT THE TIME OF PREPARATION OF THIS SURVEY. SEE 'NOTES FROM SCHEDULE B' SHOWN HEREON FOR SPECIFICS

#### NOTES FROM SCHEDULE B

PER FIRST CHICAGO TITLE INSURANCE COMPANY ORDER NO 1401-008984151-D2 EFFECTIVE DATE FEBRUARY 13, 2017, PRINTED DATE MARCH 6, 2017 PROVIDED BY THE CLIENT

	EXCEPTIONS	PLOTTEL
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N	EASEMENT FOR SAN DIST - DOC R72-9137	(0)
Q	EASEMENT FOR COMED AND IL BELL - DOC R69-30062	YES
ı	EASEMENT - DDCS R73-33822 & R79-107322	YES
н	EASEMENT TO SANITARY DIST - DOC R81-32538	YES
J	EASEMENT - DOC R89-072897	YES
U	EASEMENT TO AMERITECH - DOC R2001-097338	YES
٧	EASE TO FLAGG CREEK REC DIST - DOC R2006-088094	(9)
Р	POTENTIAL EASEMENT PER FOUND UTILITY POLES	(b)

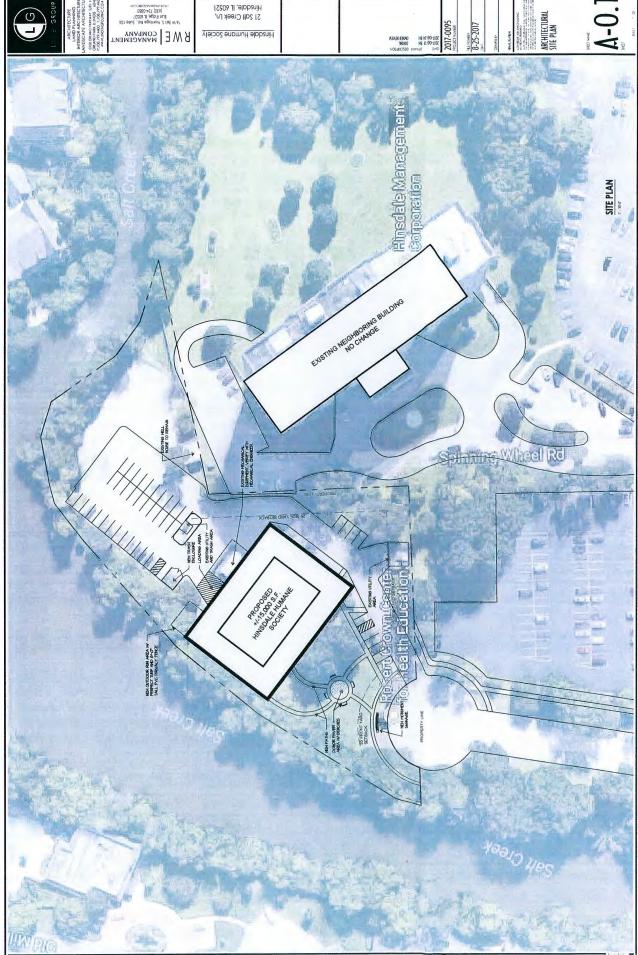
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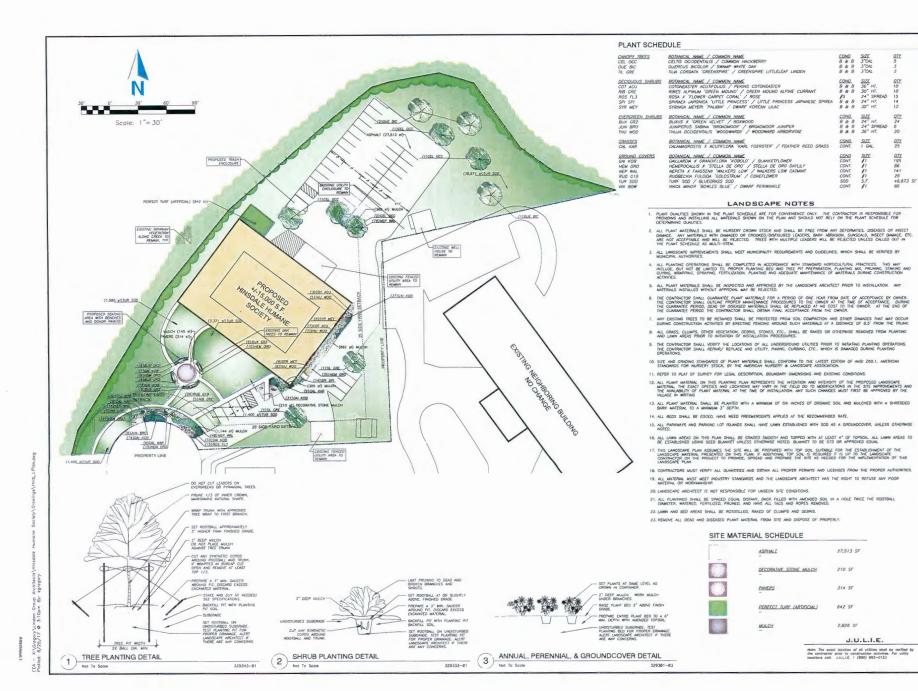
#### SURVEYOR'S CERTIFICATE

TO ROBERT CROWN CENTER FOR HEALTH EDUCATION CHICAGO TITLE INSURANCE COMPANY









ERIKSSON ENGINEERING ASSOCIATES, LTD.

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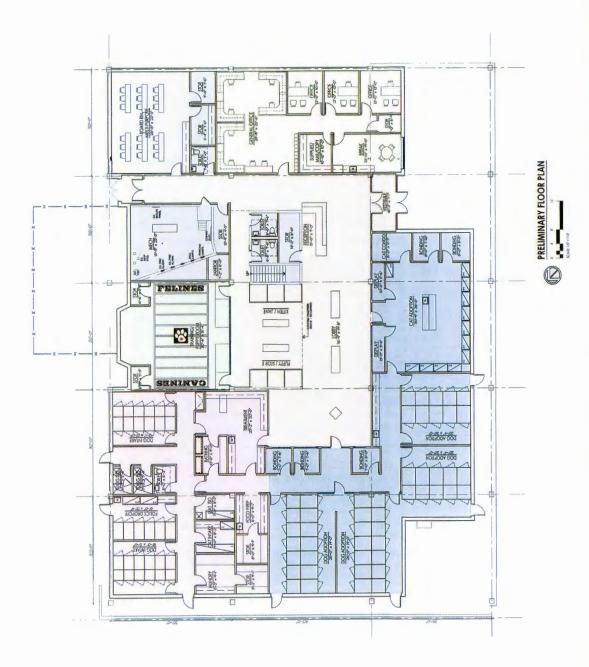
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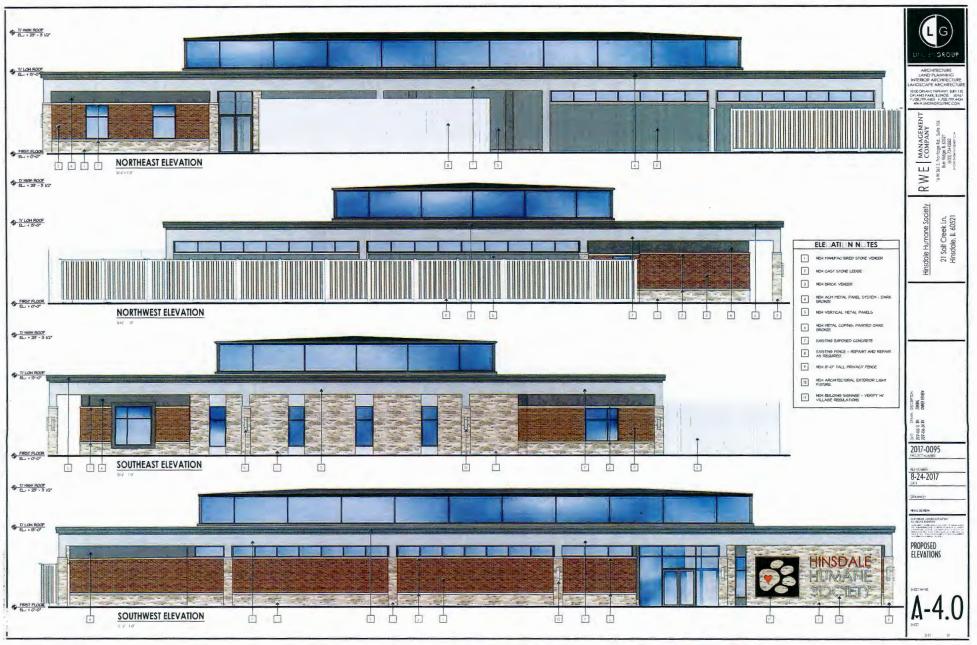
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08/25/17

LANDSCAPE PLAN

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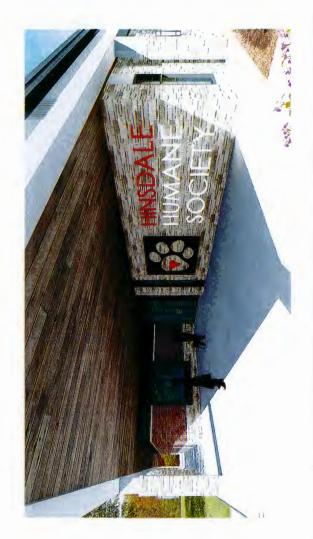
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8-24-2017

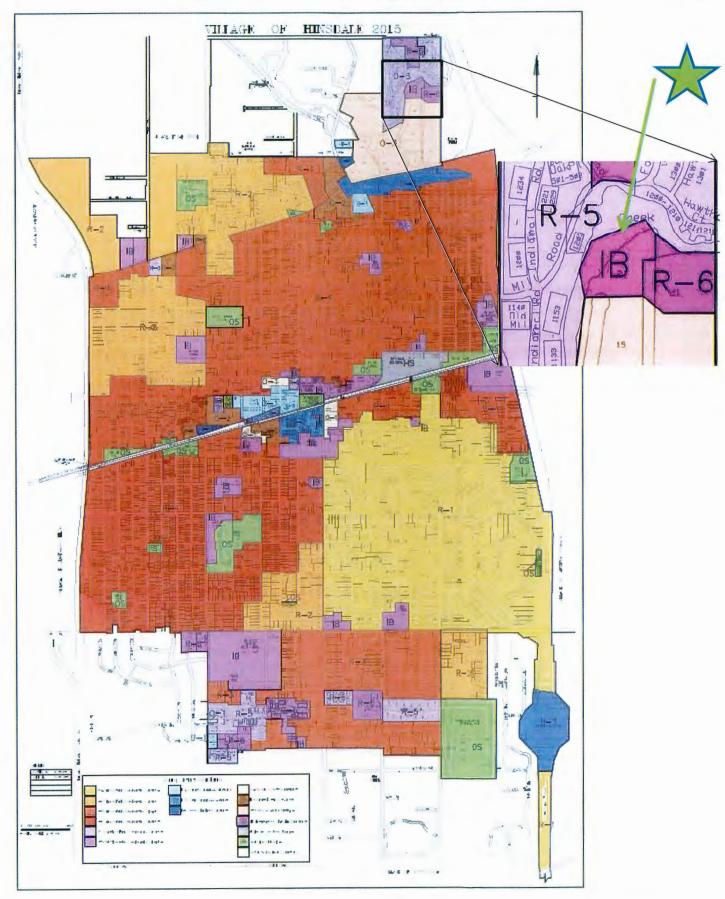
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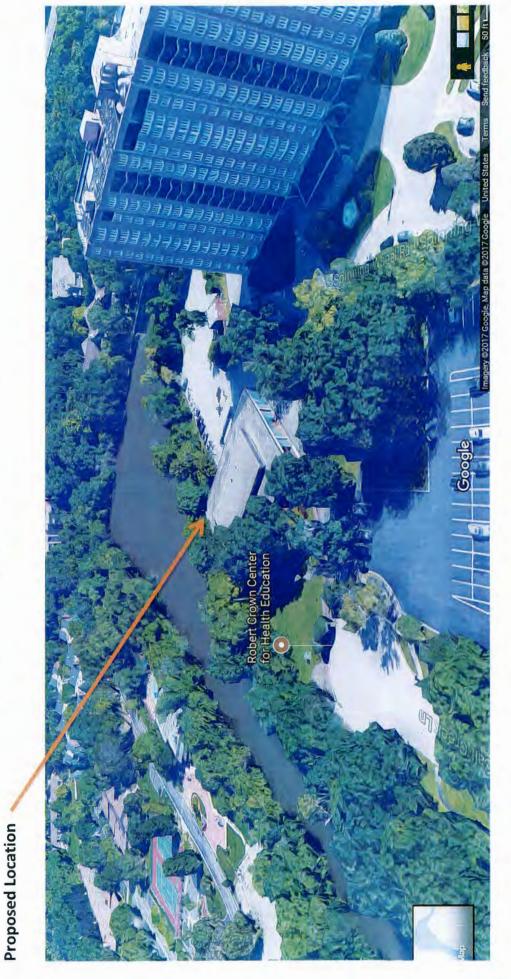




# **Attachment 2: Village of Hinsdale Zoning Map and Project Location**







Attachment 3:

Birds Eye View of 21 Salt Creek Lane (facing north)

# Attachment 4: Street View of 21 Salt Creek Lane (facing north)





DATE:

8/29/17

TO:

Village Board of Trustees

Kathleen Gargano, Village Manager

CC:

George Peluso, Director of Public Services

FROM:

Brendon Mendoza, Public Services Administrative Analyst

RE:

**Burlington Fountain Replacement** 

#### Background

Village Staff has recently requested a quote from Fountain Technologies Ltd. for the repair of the Burlington Park Fountain ("the fountain"). As you may recall the fountain was vandalized and damaged back in May of 2016. Currently, there is a placeholder fountain being utilized at Burlington Park (see attachment #2). A total of \$30,000 is budgeted to repair or replace the fountain. The original fountain was installed with financial assistance from the Glorious Gardens, which is no longer in existence. Staff has evaluated several options related to the replacement fountain, including replacing the entire structure to its original state, or installing a "jet system" that includes no permanent structure as the center piece.

#### Fountain Replacement or Repair Descriptions

As described above, Staff explored two (2) replacement options for the fountain. First would be to replace the fountain to its original state for an estimated cost of \$30,000. This option would place the fountain back as it was originally installed. While the fountain has been a centerpiece to Burlington Park, there has been instances where safety concerns have arised. Most recently was back in 2016 when the entire structure was knocked down and damaged.

The second option is to install a structure-less jet fountain (see attachment #3 for an example). The current concrete base can be converted for approximately one-third of the cost of what was budgeted. The jet system will contain five (5) nozzles that shoot the water approximately six (6) to eight (8) feet in the air. In addition, the jet fountain option would decrease the likeliness of vandalism reoccurring in the future.

#### **Project Cost**

Based upon the quote provided by Fountain Technologies, the project is estimated to cost approximately \$13,000 (see attachment #1). Staff solicited a price for a replacement control panel, however, Staff does not suggest replacement at this time. In the future event that a replacement control panel is needed, Staff will have the control panel replaced either in-house by Public Services, or solicit pricing from a professional electrician. Staff has also factored in the additional cost for red, blue, and green ("RGB") LED lighting. RGB lighting would allow the Village to adjust the colors of lights at the fountain during events and seasons.



**Staff Recommendation** 

Considering safety, and potential for repeat vandalism occurring, Staff recommends the jet option in lieu of the original fountain structure. Public Services staff recommends approval to proceed with the jet fountain option replacement for the Burlington Fountain.

**Action Requested** 

Public Services staff is seeking direction to proceed with the jet system installation from the Village Board for replacement of the Burlington Fountain. As this project is under the capital project threshold of \$20,000, it does not require formal board action, however Staff is seeking direction as it is a centerpiece within the Central Business District.

#### **Attachments**

- 1. Fountain Technologies Ltd. Revised Quote 8-28-17
- 2. Photo of Burlington Park Fountain
- 3. Photo of Example Jet Fountain



# Attachment #1

Mr. Brendon Mendoza Public Services Administrative Analyst Village of Hinsdale 225 Symonds Drive Hinsdale, Illinois 60521

RE: FOUNTAIN JET OPTIONS, LIGHTING, CONTROL PANEL, FLOOR PAINTING, ELECTRICAL

Brendon.

Below is the breakdown for various improvements at the Burlington Park fountain:

#### **Fountain Floor Painting**

We can remove the existing floor paint, repair cracks, and recoat using an epoxy based pool paint for \$2,950.00.

#### 5 Fountain Nozzles

We can supply and install 5 fountain nozzles model NIA100 for \$2,672.80. The pump that controls the nozzles is rated for approximately 100 - 110 gallons per minute. This would allow the nozzles to be adjusted up to 6-8 feet high. Each nozzle will have a small valve near the fountain floor to adjust the nozzles lower if desired.

#### **Underwater Lighting**

I do not have a direct replacement light fixture that would fit inside the concrete niche in the fountain floor. Parts are still available for the lights but I will not know what we need until they are removed and brought to our shop. We can remove, repair, and replace for \$1,520.00 plus the cost of the necessary parts. The lights can be removed during the pressure test and returned to our shop for breakdown on the costs for repair. At that time a replacement LED light can be selected and quoted as well.

#### **New Fountain Control Panel**

We can replace the existing electrical controls with a new panel for \$5,280.00. This would include separate timers for the lighting and pumps as well as overload protection for the motors. This should help to prevent motors from being damaged in the future.

This would also include the circuit board necessary to operate the fountain level control. (A request was made for Fountain Technologies to try and save some money on the control panel. We can built the panel and bill based on time and material which should reduce the cost of the panel. However, there is no guarantee that the cost does not meet the quoted price. The best offer would be time and material, not to exceed \$5,280.00.)

#### Repairs to Fountain Fill Solenoid and Level Sensor

We can repair the fountain level sensor and fill solenoid for \$1,425.00. This would eliminate the need to manually fill the fountain each morning.

#### Pressure Test

I suggest that we perform a pressure test to all of the underground plumbing from the fountain to the mechanical vault. We can complete this for \$760.00 and it would ensure that there are no broken pipes before we begin this work. The fountain may be losing more water than normal based on the frequency that it is required to be filled. During the pressure test the electrical conduit from the lights to the mechanical room will be checked as well. If LED lights are added we would need to pull a CAT5 cable through the conduits as well as the electricity lines so it is important they have not broken.

Lastly, it was asked if we can perform the grout work around the fountain base. This is not typically something we cover and a specialized contractor should be able to get that work done much faster and at a lower cost than we could.

Please let me know if there is anything you would like added to this quote.

Thank you,

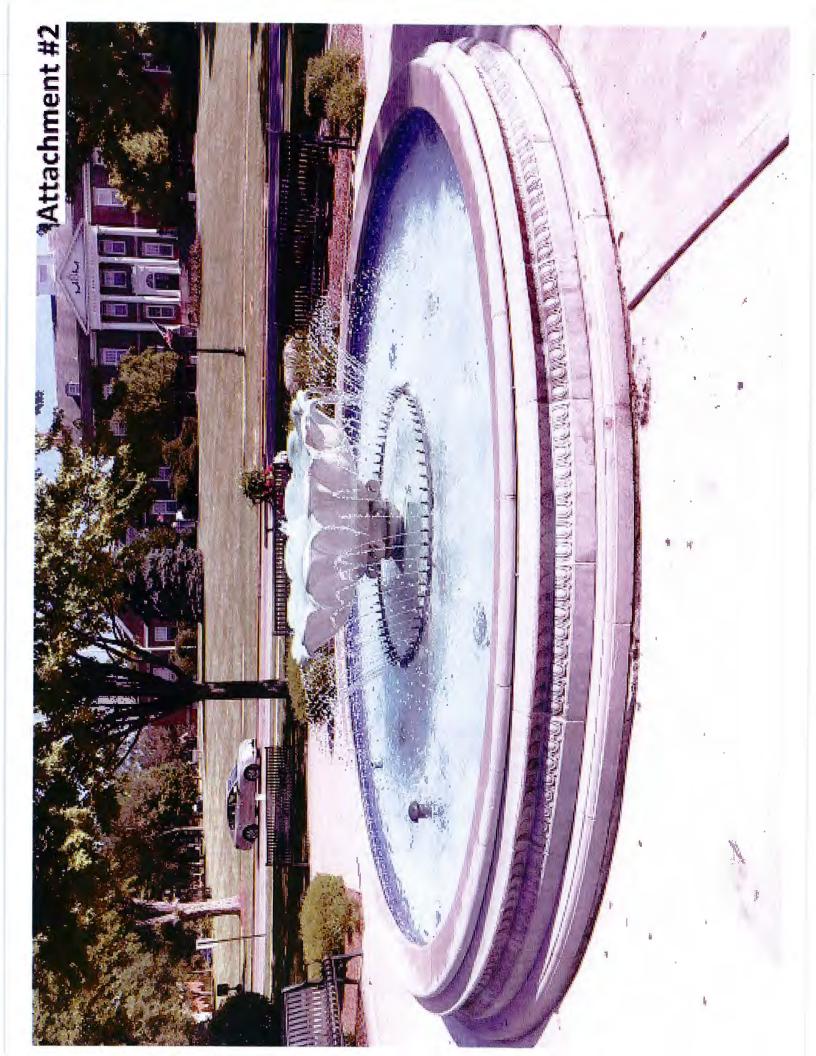
Matthew Saulka Service Manager

Fountain Technologies Ltd.

M. 847-264-0955

O. 847-537-3677 x237

\*\*\*THIS PROPOSAL IS VALID FOR 6 MONTHS FROM THE DATE OF ISSUE\*\*\*







DATE:

August 28, 2017

TO:

President Cauley and Village Board of Trustees

Kathleen Gargano, Village Manager

FROM:

George Peluso, Director of Public Services

Dan Deeter, Village Engineer

RE:

Discussion - Construction Update

With the summer months coming to a close, Staff thought it would be prudent to provide an update on the status of the 2017 roadway and infrastructure projects. There were a total of four projects that we awarded by the Village. The projects are as follows:

- 1. Symonds Drive and Elm Street Water Main Replacement
- 2. 2017 Roadway Reconstruction
- 3. 2017 Roadway Resurfacing Phase 1
- 4. 2017 Roadway Resurfacing Phase 2

Below is an update regarding the status of each project.

- Water Main Replacement Symonds Drive and Elm Street The project was substantially completed on July 6, 2017. The project included the replacement of a 95+ year old transmission water main that extended from the Village's Water Plant on Symonds Drive to the intersection of Walnut Street and Elm Street.
- 2017 Roadway Reconstruction The project included the reconstruction of Center Street from Washington Street to Vine Street and Ayres Street from Vine Street to Lincoln Street. The project also included the resurfacing of Chicago Avenue from Garfield Street to pavement change, and water main replacement on East Birchwood Street to rear parking lot of 950 York Road.

The project is substantially complete except for some minor punch list items and final sod restoration. Final restoration is scheduled for early fall.

3. **2017 Roadway Resurfacing – Phase1** – The project included the resurfacing of approximately 4.5 miles of roadway including the Central Business District. The project is substantially complete except for the punch list and final restoration. Final restoration is scheduled for early fall.

The following roads were resurfaced as a result of this project. A map of completed improvements is also attached.



#### Residential Roads Improved

- 59<sup>th</sup> Street from Elm to the east end
- 58<sup>th</sup> Street from Garfield to the east end
- Giddings Avenue from 58<sup>th</sup> Street to south end
- Ninth Street from Thurlow to Madison
- Washington Street from Third to Fourth
- Madison Street from Second to Sixth
- North Street from Adams to Madison
- Hickory Street from Elm to Oak (W)
- Park Avenue from First to Third
- Elm Street from Chicago to Fourth
- Symonds Drive from Garfield to Elm
- Elm Street from Symonds to Walnut
- Adams Street from North to Maple
- Park Street from Seventh to Eighth
- Stough Street from Eighth to the south end
- Woodmere Drive from Garfield to the west end
- Oak Street from First to Third

#### Central Business District (CBD)

- Hinsdale Avenue from Grant to Garfield
- First Street from Grant to Garfield
- Grant Street from Hinsdale to First
- Lincoln Street from Hinsdale to Second
- Washington Street from Hinsdale to First
- Garfield Street from Hinsdale to First
- Village Place from Hinsdale to First
- 4. 2017 Roadway Resurfacing Phase 2 The contract for the Phase 2 resurfacing project was award by the Village of June 12, 2017. The project includes the resurfacing of approximately 13 miles of roadway. Other project improvements include curb and gutter removal, concrete roadway patching, and addressing nuisance sump discharges into the public right-of-way.

In order to organize the roadway improvements and to track progress, the Phase 2 improvements were divided into eight separate zones. A map of the zones and scheduled start and pave dates is attached. Currently the contractor has completed the roadway work in the first two zones which account for  $1/4^{th}$  of the entire project. With the Central Business District improvements completed, the contractor is focusing all their efforts on the Phase 2 project. They have informed the Village they expect to the improvements completed by the middle of November.

#### **ZONE 1 – Substantially Complete**

Street	<u>Limits</u>	<u>Status</u>
<ul> <li>57<sup>th</sup> Street</li> </ul>	<b>Grant to County Line</b>	Resurfaced
<ul> <li>Childs Avenue</li> </ul>	Park to 57 <sup>th</sup>	Resurfaced
<ul> <li>Elm Street</li> </ul>	55 <sup>th</sup> to Meadowbrook	Resurfaced



	Giddings Avenue	North end to 58 <sup>th</sup>	Resurfaced
•	Grant Street	57 <sup>th</sup> to 59 <sup>th</sup>	Resurfaced
•	Oak Street	55 <sup>th</sup> to 57 <sup>th</sup>	Resurfaced
	Park Avenue	Park Circle to 57 <sup>th</sup>	Resurfaced
•	Park Circle	North end to Childs	Resurfaced
•	Washington Street	North end to 57 <sup>th</sup>	Resurfaced

### **ZONE 2 – Substantially Complete**

	Bodin Street	Fourth to Sixth	Concrete patched
•	Bruner Street	Hinsdale to Fourth	Resurfaced
•	Clay Street	Fourth to Sixth	Concrete patched
•	Eighth Street	intersection with Quincy	Resurfaced
	Ninth Street	Monroe to Madison	Resurfaced
	Seventh Street	Jackson to Stough	Concrete patched
	Seventh Street	Quincy to Adams	Concrete patched
	Seventh Street	Bodin to Monroe	Resurfaced
	Sixth Street	Jackson to Bodin	Resurfaced
•	Sixth Street	Monroe to Clay	Resurfaced
•	Stough Street	Hinsdale to Eighth	Resurfaced
	Thurlow Street	Sixth to Ninth	Resurfaced
	Vine Street	Ninth to South end	Resurfaced

### ZONE 3 - In process - Scheduled paving date are September 9 - 12

	Blaine Street	Chicago to First	In process
•	Camberley Court	West end to East end	In process
•	Garfield Street	First to 55 <sup>th</sup> (patching)	In process
•	<b>Grant Street</b>	First to Fifth	In process
•	<b>Grant Street</b>	Seventh to Eighth	In process
	Grant Street	Ninth to 55 <sup>th</sup>	In process
	Lincoln Street	Second to Third	In process
•	Ninth Street	Washington to Park	In process
•	Park Avenue	Third to Fourth	In process
•	Park Avenue	Fifth to Sixth	In process
•	Seventh Street	Grant to Garfield	In process
	Washington Street	Fourth to Seventh	In process

## ZONE 4 - Scheduled paving date is September 18 - 20

	Highland Road	County Line to east end	In process
	Hillcrest Avenue	Third to Woodside	In process
•	Oak Street	Third to Woodside	In process
•	Orchard Place	Chicago to First	In process
	Seventh Street	Elm to Oak	In process



#### **ZONE 5 – Scheduled paving date is October 3 - 6**

Flagg Court West end to Oak **Hickory Street** Oak(E) to Mills Justina Street Minneola to Walnut Mills Street The Lane to Ravine Mills Street Hickory to Walnut Oak Street Ravine to Walnut Minneola to Walnut Phillippa Street Ravine Road Phillippa to Mills The Lane Phillippa to Mills Walnut Street Oak to Mills

#### **ZONE 6 – Scheduled paving dates are October 6 -10**

Fuller Road West end to County Line

Minneola Street Garfield to YorkOak Street Fuller to Minneola

#### **ZONE 7 - Scheduled paving dates are November 2 - 8**

Garfield Street
 Grant Street
 Hickory to Maple
 Hickory Street
 Madison to Elm
 Maple Street
 Grant to Lincoln

Maple Street
 North Street
 Park Avenue
 Vine Street
 Washington to Garfield
 Madison to Washington
 Hickory to Walnut
 North to Maple

Washington Street Maple Street to Hinsdale

#### **ZONE 8 – Scheduled paving dates are November 14-17**

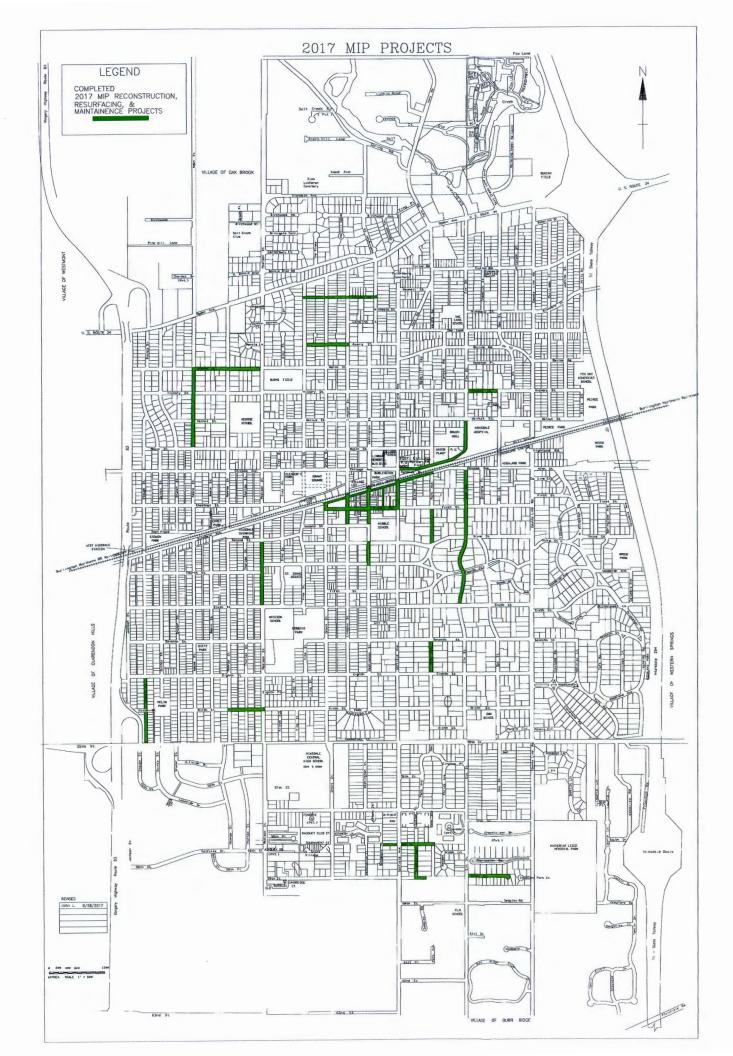
Adams Street Maple to Chicago Bruner Street North to Hickory Bruner Street Walnut to Chicago **Chestnut Street** West End to Quincy Madison Street Maple to Chicago Monroe Street Walnut to Hinsdale **Quincy Street** Hickory to Stough Town Place Stough to Bruner Walnut Street Bruner to Monroe

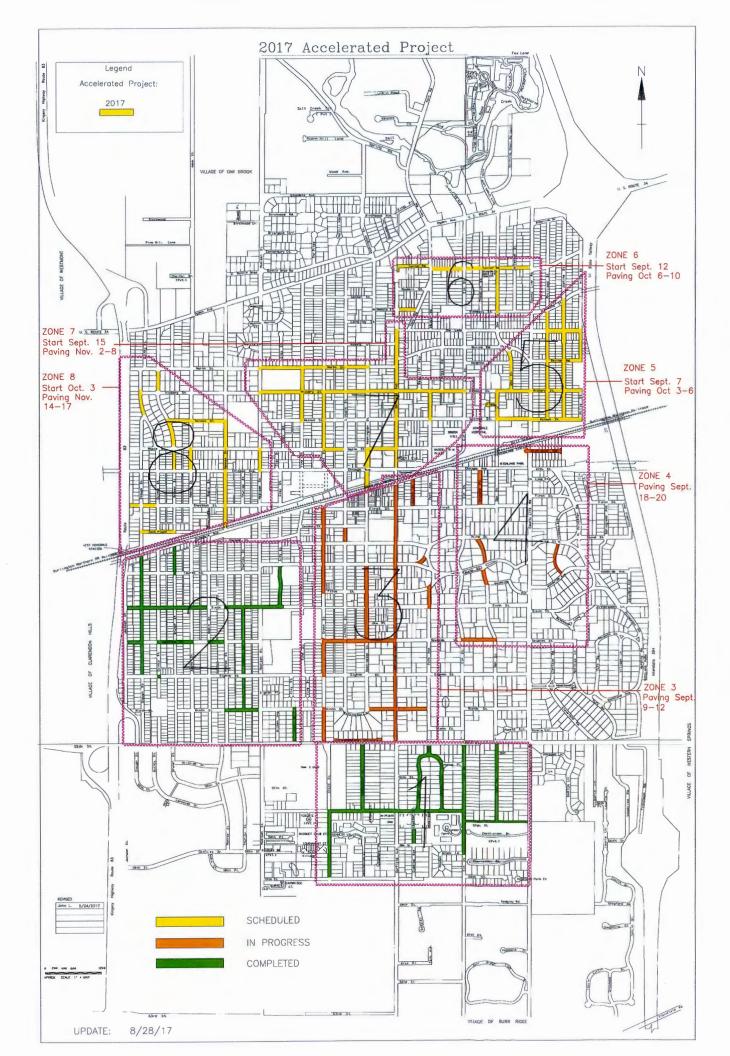
In order to track the progress of the project, Village Staff meets with the contractor on weekly basis to review schedule and address other issues. In addition, Staff from the Village's



Engineering Department and members of the HR Green team meet with the contractor daily to review progress of work and address resident issues.

The contractor remains confident that they will complete all the proposed work this construction season, weather permitting. Staff will continue to update the Village President and Board of Trustees on the project status through weekly Manager's Notes and verbal updates at scheduled Board meetings. Should you have any questions or concerns regarding project status please contact either George Peluso or Dan Deeter.









DATE:

September 5, 2017

TO:

President Cauley and Village Board of Trustees

FROM:

Heather Bereckis, Superintendent of Parks & Recreation

RE:

August Staff Report

The following is a summary of activities completed by the Parks & Recreation Department during the month of August.

# Katherine Legge Memorial Lodge

Preliminary gross rental revenue for the fiscal year to-date is \$46,645. Rental revenue for the third month of the 2017/18 fiscal year is \$13,950. In July, there were eight events held at the Lodge, which is one more than the prior year. Expenses through July are down 27% (\$4,708) over the prior year; this a result of timing related to projects, such as the new marketing initiatives. Overall net revenue is \$21,135 which is 24% (\$5,080) higher than the same period of the prior year.

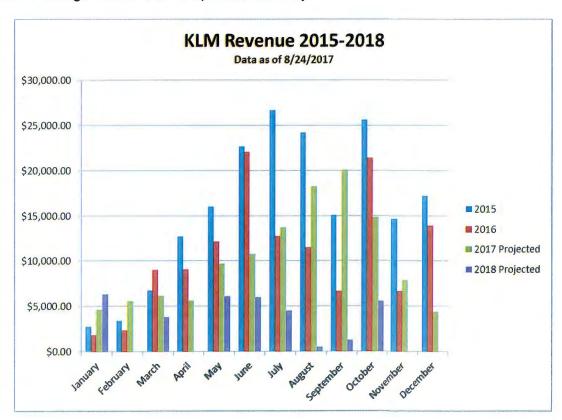
REVENUES	Ju	ıly	Υ	TD	Change	2017-18	FY 17-18	2016-17	FY 15-16 % of budget
	Prior Year	Current Year	Prior Year	Current Year	Over the Prior year	Annual Budget	% of budget	Annual Budget	
KLM Lodge Rental	\$12,550	\$13,950	\$47,595	\$36,145	(\$11,450)	\$160,000	23%	\$180,000	26%
Caterer's Licenses	\$0	\$0	\$8,500	\$10,500	\$2,000	\$11,000	95%	\$15,000	57%
Total Revenues	\$12,550	\$13,950	\$56,095	\$46,645	(\$9,450)	\$171,000	27%	\$195,000	29%
EXPENSES	Ju	ıly	Y	TD	Change Over the	2017-18 Annual	FY 17-18 % of	2016-17 Annual	FY 15-16 % of
	Prior Year	Current Year	Prior Year	Current Year	Prior year	Budget	budget	Budget	budget
Total Expenses	\$17,183	\$12,475	\$40,040	\$25,510	(\$14,530)	\$197,651	13%	\$212,741	19%
Net	(\$4,633)	\$1,475	\$16,055	\$21,135	\$5,080				





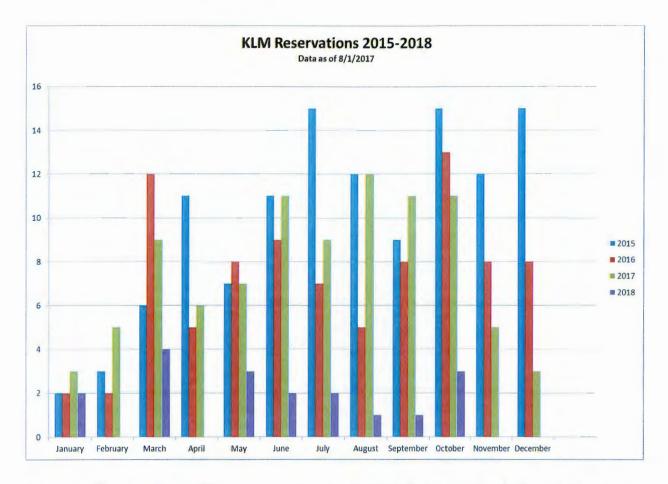
				K	LM	Gross Mo	ontl	nly Reveni	ies					N 200 DE 100
Month	20	11/12 FY	20	12/13 FY	20	13/14 FY	20	014/15 FY	20	15/16 FY	20	16/17 FY	201	7/18 FY
May	\$	8,561	\$	8,801	\$	16,796	\$	13,745	\$	16,000	\$	12,200	\$	9,600
June	\$	11,156	\$	10,745	\$	26,818	\$	17,450	\$	22,770	\$	22,845	\$	12,595
July	\$	13,559	\$	9,786	\$	18,650	\$	12,909	\$	27,475	\$	12,550	\$	13,950
August	\$	17,759	\$	18,880	\$	19,579	\$	25,350	\$	24,775	\$	12,645		
September	\$	14,823	\$	14,498	\$	12,137	\$	24,510	\$	15,250	\$	11,500		
October	\$	16,347	\$	15,589	\$	14,825	\$	23,985	\$	25,580	\$	21,395		
November	\$	8,256	\$	11,612	\$	8,580	\$	14,724	\$	14,825	\$	6,700		
December	\$	8,853	\$	10,265	\$	13,366	\$	17,290	\$	17,200	\$	13,457		
January	\$	1,302	\$	4,489	\$	250	\$	8,450	\$	2,850	\$	4,624		
February	\$	2,301	\$	6,981	\$	7,575	\$	3,120	\$	2,400	\$	4,550		
March	\$	2,506	\$	7,669	\$	4,245	\$	6,725	\$	8,945	\$	5,944		
April	\$	2,384	\$	4,365	\$	3,600	\$	12,695	\$	9,125	\$	4,300		
total	\$	107,807	\$	123,680	\$	146,421	\$	180,953	\$	187,195	\$	132,710	\$	36,145

The graph below shows the past three years of lodge revenue and the upcoming year's projection. Future predictions are based on the average revenue from the event type. Also included below are charts indicating the number of reservations and reservation type by month. Typically, events are booked 6-18 months in advance of the rentals; however, if there are vacancies, staff will accept reservations within 5 days of an event. These tracking devices will be updated monthly.









As you will note, there still is some concern warranted due to the decline in bookings. However, staff has begun seeing an increase in reservations related to increased marketing, especially during the late summer/early fall months. Calls for events 8-18 months out are already coming in, as you will note from the charts above. The full marketing budget for 2016/17 was spent, including social media boosts, and ads in high profile websites and magazines.

Staff is now working to implement the approved marketing plan for the 2017/18 FY, including the addition of Search Engine Optimization (SEO) and progressive marketing through The Knot. Details on this were be presented at the August Parks & Recreation Commission meeting and will be reevaluated at the November Parks & Recreation Meeting.

# **Upcoming Brochure & Activities**

### **Brochure & Programming**

Winter/Spring Brochure planning and preparation is underway, with the scheduled delivery date for residents being December 4<sup>th</sup>. Fall Brochures were delivered on August 1<sup>st</sup> and registration for programming began on August 7<sup>th</sup>. Staff has added a



number of new programs and special events, including Food & Wine Pairing night at KLM Lodge and the continuation of Movies in the Park.

#### **Special Events**

The final performance in a series of three events titled "Lunch on the Lawn" took place Wednesday August 2<sup>nd</sup>, with The Pack Drumline and Dance Crew. These events were held in Burlington Park from 12:30-1:30pm. Guests were encouraged to bring lunch and enjoy the free entertainment. This was done in collaboration with the Hinsdale Public Library. All events were well attended and received.

Additionally, the new Movies in the Park Series began on July 19<sup>th</sup> with a showing of Finding Dory. The movie saw about 100 people in attendance, though was cut short due to storms. The second movie was scheduled for August 16<sup>th</sup>, showing The Sandlot, though ended up being moved to August 23<sup>rd</sup> due to rain. Future movies in the park include SING on September 13<sup>th</sup> and Hocus Pocus on October 11<sup>th</sup>. These events will be held at KLM Park, starting at dusk. Staff has secured a sponsorship for these events with Amita Health and Shred415. Free popcorn will be provided to all attendees.

Finally, staff is currently preparing for upcoming special events including the new Food & Wine Pairing at KLM on September 14<sup>th</sup>; Fall Fest on October 21<sup>st</sup>, at its new location of Robbins Parks & The Community House; and Holiday Express on December 17<sup>th</sup>.

# Field & Park Updates

#### **Fields**

Staff has been coordinating fall field use with community athletic organizations. Usage includes soccer, football, cross country and lacrosse activities. Public Services personnel have begun laying out the athletic fields and will stripe them weekly through the first week in November.

Hinsdale Central, Hinsdale South, and Hinsdale Middle School will be hosting cross country meets at KLM Park. The cross country course follows the perimeter fence of KLM Park, which has runners crossing the access roads. The schools are required to hire Hinsdale police officers to monitor the traffic at County Line Road and the access roads. During meets, it can be difficult for park users, including Lodge guests and staff from the Humane Society and the former Arts Center, to access the park. Therefore, staff communicates the meet schedule to park users to ensure that activities are not disrupted.

Falcon Football is utilizing space at Oak School for practices and games that will be held at Brook Park. Given the high attendance previously experienced for Falcon Football games, a letter was sent to residents that reside near Brook Park to inform them of the park schedule. AYSO Soccer will practice and play games at a variety of Village fields. Veeck will be utilized for competitive soccer programs. Lacrosse programs will utilize KLM Park.



#### **Parks**

Parks & Recreation Commission Members are currently working on surveys of all Village Parks. These surveys provide an overview of all park components, from bench quantity and type to condition of sidewalks, buildings and playgrounds. Staff will be compiling all of the results and presenting the information at the September 12<sup>th</sup> Parks & Recreation Commission Meeting. From there, the Commission will be recommending schedules for upkeep, improvements and general maintenance.

#### **Platform Tennis**

#### **Annual Court Maintenance**

Riley Green Mountain was on site the week of August 21<sup>st</sup> to complete repairs to the court screens, snow boards and court doors. Repairs to the courts are in the operating budget and cost approximately \$7,500.

Village staff also spent the week of August 21<sup>st</sup> working on the court heaters. Staff found 4 heaters that were not operational on courts 1 and 6. New heaters were ordered and installed on these courts.

#### Memberships

Renewal letters were sent out to past members in mid- August; current memberships are good through August 2017. Pricing for the 2017/18 season will remain the same, with a late fee incurring after October 31<sup>st</sup>. This was approved by the Village Board at its March 7, 2017 meeting. Below is a chart indicating current year to date membership revenue in comparison to the same period of the previous year.

**Platform Tennis Membership Summary** 

	2016								2017			
Memberships as of 1/23/17		Renewal Members	Total Members	Revenue YTD	2017 Fees	New Members	Renewal Members	Total Members	Change of over Prior Year	Revenue YTD	Change over Prior Yr.	% of Change Over Prior Year
Resident Individual	1	8	9	\$1,800	\$200	0	9	9	0	\$1,800	\$0	09
Resident Family	0	3	3	\$750	\$250	1	0	1	-2	\$250	-\$500	-67%
Resident Secondary	0	7	7	\$0	\$0	1	0	1	-6	\$0	\$0	09
Resident Total	1	18	19	\$2,550		2	9	11	-8	\$2,050	-\$500	-20%
Non-Resident Individual	0	10	10	\$3,000	\$300	0	13	13	3	\$3,900	\$900	
Non-Resident Family	0	1	1	\$375	\$375	0	4	4	3	\$1,500	\$1,125	300%
Non-Resident Secondary	0	4	4	\$0	\$0	0	9	9	5	\$0	\$0	0%
Non-Resident Total	0	15	15	\$3,375		0	26	26	11	\$5,400	\$2,025	60%
Resident Lifetime	N/A	82	82	\$0	\$0	N/A	62	62	-20	\$0	\$0	0%
Non-Resident Lifetime	N/A	42	42	_		N/A	28	28	-14	\$0	\$0	0%
Total Lifetime Members	N/A	124	124			N/A	90	90	-34	\$0	\$0	0%
Total Memberships/ Revenue		157	158	\$5,925		2	125	127	-31	\$7,450	\$1,525	26%





# **Community Pool**

#### **Pass Sales**

The Hinsdale Community Pool opened for the season Saturday, May 27<sup>th</sup>. A summary of current membership revenue is below.

This summary provides pass sales data through August 21<sup>st</sup>. Revenue for the same period of the prior year has decreased slightly by 2% (\$3,735). Resident family pass sales for the same period of the prior year increased 2% (\$1,900). For the same period of the prior year, 10-Visit pass sales decreased 27% (\$6,435). This may be attributed to the increase in Resident family pass sales and cooler August weather.

Neighborly and Non-Resident pass revenues to date are \$36,665 which is an increase of 6% (\$2,035) over the same period of the prior year. To date, 89 Neighborly Passes have been sold. Feedback from the new members is that previously they were members of the Oak Brook Bath and Tennis Club, Western Springs Swim Club and Five Seasons but were not happy with the services.



As of August 21, 2017	2	016 Pass	Revenu	ie		2	017 Pas	s Revenue	•	
Resident	New Passes	Renew Passes	Total	Revenue	New Passes	Renew Passes	Total	Revenue	% Change Over Prior Year	Change Over the prior year
Resident										
Nanny + Nanny Super	43	40	83	\$4,935	57	29	86	\$5,205	5%	\$270
Family Primary	90	203	293	\$85,870	100	194	294	\$87,770	2%	\$1,900
Family Secondary	298	675	973	\$0	330	675	1005	\$0	0%	\$0
Individual	7	13	20	\$3,030	1	9	10	\$1,650	-46%	-\$1,380
Senior Pass	10	23	33	\$2,640	10	19	29	\$2,320	-12%	-\$320
Family Super	0	22	22	\$7,705	11	13	24	\$7,870	2%	\$165
Family Super Secondary	0	23	23	\$1,080	11	13	24	\$1,080	0%	\$0
Family Super Third	0	21	21	\$990	10	13	23	\$1,035	5%	\$45
Family Super 4+	3	29	32	\$495	. 15	17	32	\$480	-3%	-\$15
Individual Super Pass	0	0	0	\$0	0	0	0	\$0	0%	\$0
Senior Super Pass	0	0	0	\$0	0	0	0	\$0	0%	\$0
Resident Total	451	1049	1500	\$106,745	545	982	1527	\$107,410	1%	\$665
Neighborly										
Neighbor Family	43	41	84	\$30,730	37	52	89	\$33,135	8%	\$2,405
Neighborly Individual	0	0	0	\$0	0	1	0	\$0		\$0
Neighbor Addt'l	146	158	304	\$0	132	187	319	\$0		\$0
Neighborly Total	189	199	388	\$30,730	169	240	408	\$33,135	8%	\$2,405
Non-Resident										
Non Resident Family	3	0	3	\$540	2	0	2	\$1,055	95%	\$515
Non Resident Family Secondary	6	9	15	72.12	15	0	15	\$0	0	\$0
Non Resident Individual	1	1	2	\$500	0	2	0	\$545	9%	\$0
Non Resident Senior	7	5	12	\$1,860	1	5	6	\$930	-50%	\$0
Non Resident Nanny	9	3	12	\$990	10	2	12	\$990	0%	\$0
Non-resident Total	26	18	44	\$3,890	28	9	35	\$3,520	-10%	-\$370
10-Visit	301		301	\$23,460	210		210	\$17,025	-27%	-\$6,435
TOTAL			2233				2180	\$161,090	-2%	-\$3,735

	D	aily Fee	Revenu	ıe	
	2015	2016	2017	Change Over Prior Year	% Over Prior Year
May	\$935	\$3,742	\$2,105	-\$1,637	-44%
June	\$10,959	\$16,036	\$14,882	-\$1,154	-7%
July	\$18,970	\$17,702	\$19,640	\$1,938	11%
August	\$14,037	\$12,424			
Sept	\$3,078	\$9,740			
Total	\$47,979	\$59,644	\$36,627	-\$853	-39%



**DATE:** September 5, 2017

**TO:** Kathleen A. Gargano, Village Manager

**CC:** President Cauley and the Village Board of Trustees

FROM: Anna Devries, Economic Development Coordinator / Finance Clerk

Emily Wagner, Administration Manager

RE: August Economic Development Monthly Report

The following economic development updates are for your review:

• Throughout August, staff members Anna Devries, Jean Bueche and Emily Wagner volunteered at the Chamber of Commerce's Uniquely Thursday concert series.

- The Economic Development Commission (EDC) meeting was cancelled in August. The next meeting is scheduled for September 26.
- On August 3, staff attended the International Council of Shopping Centers (ICSC) Retail Connection event in Rosemont. This annual event allows staff to gain insight from brokers and real estate developers regarding upcoming business development initiatives.
- On August 10, staff attended a Chamber of Commerce Board of Directors meeting to learn about upcoming initiatives and to share Village updates.
- On August 14, staff attended the Hinsdale Middle School ground breaking ceremony to show support for the new construction.
- On August 21, staff attended a Chamber Membership meeting to discuss new businesses and member engagement.
- On August 23, staff attended a Chamber of Commerce Community Mobile App meeting along with the Hinsdale Library, the Hinsdale Historical Society, the Community House, Hinsdale School District 181 and the Hinsdale Rotary to further discuss the mobile app components and feasibility.
- On August 24, staff met with the Chamber of Commerce to further discuss boosting the marketing and promotion for the upcoming Small Business Saturday event, which is held nationwide the Saturday after Thanksgiving to promote shopping locally.
- Throughout August, staff has been working with Tim King from Hitchcock Design Group to develop the new welcome sign drawing using design elements from the Oak Street Bridge and the Central Business District signage to be consistent with current signage in Hinsdale
- On August 15 and August 31, staff has participated in ERP demonstrations to learn about potential software and applications the Village could utilize.



• Throughout the month, staff attended a weekly construction meeting to learn about the upcoming CBD construction project and to communicate it with the business community.





DATE:

August 14, 2017

TO:

President Cauley and the Village Board of Trustees

CC:

Kathleen A. Gargano, Village Manager

FROM:

Robert McGinnis, Community Development Director/Building Commissioner

RE:

**Community Development Department Monthly Report- July 2017** 

In the month of July the department issued 90 permits. The department conducted 370 inspections and revenue for the month came in at just under \$35,000.

There are approximately 93 applications in house, including 21 single family homes and 17 commercial alterations. There are 36 permits ready to issue at this time, plan review turnaround is running approximately 3-4 weeks, and lead times for inspection requests are running approximately 24 hours.

The Engineering Division has continued to work with the department in order to complete site inspections and respond to drainage complaints. In total, 62 engineering inspections were performed for the month of July by the division. This does not include any inspection of road program work and is primarily tied to building construction and drainage complaints.

We currently have 25 vacant properties on our registry list. The department continues to pursue owners of vacant and blighted properties to either demolish them and restore the lots or come into compliance with the property maintenance code.

COMMUNITY DEVELOPMENT MONTHLY REPORT July 2017

PERMITS	THIS	THIS MONTH		FEES		Y TO DATE		TAL LAST FY
	MONTH	LAST YEAR			١.		. •	TO DATE
New Single	0	1						
Family Homes								
New Multi Family	0	0						
Homes								
Residential	16	15						
Addns./Alts.								
Commercial	0	0						
New								
Commercial	7	2						
Addns./Alts.								
Miscellaneous	40	43	-					
Demolitions	0	1						
Total Building	63	62	\$	30,380.00		\$186,830.00		\$438,676.00
Permits								
Total Electrical	9	14	\$	1,321.00	\$	19,288.00		\$37,203.00
Permits								
Total Plumbing	10	20	\$	2,795.00	\$	31,117.00		\$70,002.00
Permits				-				
TOTALS	82	96	\$	34,496.00		\$237,235.00	\$	545,881.00

Citations		\$0	
Vacant	25		
Properties			

INSPECTIONS	THIS MONTH	THIS MONTH LAST YEAR	_	
Bldg, Elec, HVAC	180	240		
Plumbing	46	52		
Property Maint./Site Mgmt.	82	93		
Engineering	62	59		
TOTALS	370	444	,	

REMARKS: