



MEETING AGENDA

ZONING BOARD OF APPEALS
WEDNESDAY, April 20, 2016
6:30 P.M.
MEMORIAL HALL – MEMORIAL BUILDING
(Tentative & Subject to Change)

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
 - a) Regular meeting of March 16, 2016
- 4. APPROVAL OF FINAL DECISION**
 - a) V-01-16, 312 Phillippa
- 5. RECEIPT OF APPEARANCES**
- 6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO MAKE PUBLIC COMMENT OF A GENERAL NATURE**
- 7. PRE-HEARING AND AGENDA SETTING**
 - a) V-02-16, 108 East Fifth Street
- 8. PUBLIC HEARINGS**
- 9. NEW BUSINESS**
- 10. OTHER BUSINESS**
- 11. ADJOURNMENT**

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend 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 contact Darrell Langlois, ADA Coordinator at 630-789-7014 or by TDD at **630-789-7022** promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons.

www.villageofhinsdale.org

VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
March 16, 2016

1. **CALL TO ORDER**

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order Wednesday, March 16, 2016 at 6:37 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. **ROLL CALL**

Present: Members Marc Connelly, Gary Moberly, Keith Giltner, Rody Biggert, Kathryn Engel, John Podliska and Chairman Bob Neiman

Absent: None

Also Present: Director of Community Development/Building Commissioner Robb McGinnis and Village Clerk Christine Bruton

3. **APPROVAL OF MINUTES**

a) **Regular meeting of October 28, 2015**

Member Podliska suggested an addition to the language of the minutes. The Board concurred and Member Engel moved to **approve the minutes of the regular meeting of October 28, 2015, as amended.** Member Moberly seconded the motion.

AYES: Members Connelly, Moberly, Giltner, Biggert, Engel, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

b) **Special meeting of November 9, 2015**

Chairman Neiman suggested an addition to the language of the minutes. The Board concurred and Member Giltner moved to **approve the minutes of the regular meeting of November 9, 2015, as amended.** Member Biggert seconded the motion.

AYES: Members Connelly, Moberly, Giltner, Biggert, Engel, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

1 **ABSENT:** None

2
3 Motion carried.

4
5 c) **Regular meeting of November 18, 2015**

6 There being no changes or corrections to the draft minutes, Member
7 Podliska moved to **approve the minutes of the regular meeting of**
8 **November 18, 2015, as presented.** Member Connelly seconded the
9 motion.

10
11 **AYES:** Members Connelly, Giltner, Biggert, Engel, Podliska and Chairman
12 Neiman

13 **NAYS:** None

14 **ABSTAIN:** Member Moberly

15 **ABSENT:** None

16
17 Motion carried.

18
19 **4. APPROVAL OF FINAL DECISION**

20 a) **Remand from the Circuit Court of DuPage County – MIH, LLC.,**
21 **Amlings**

22 Member Podliska made corrections to the draft final decision. The Board
23 concurred and Member Engel moved to **approve the Final Decision for**
24 **the MIH, LLC., Amlings remand from the Circuit court of DuPage**
25 **County, as amended.** Member Moberly seconded the motion.

26
27 **AYES:** Members Connelly, Moberly, Giltner, Biggert, Engel, Podliska and
28 Chairman Neiman

29 **NAYS:** None

30 **ABSTAIN:** None

31 **ABSENT:** None

32
33 Motion carried.

34
35 **5. RECEIPT OF APPEARANCES**

36 All persons expecting to testify during the public hearing were sworn in by the
37 Court Reporter.

38
39 **6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO**
40 **MAKE PUBLIC COMMENT OF A GENERAL NATURE – None**

41
42 **7. PUBLIC HEARINGS**

43 a) **V-01-16, 312 Phillippa** *(a transcript of these proceedings is on file with the*
44 *Village Clerk)*

45 Mr. Matt Klein, attorney for homeowners Amy and Howard Kim, addressed
46 the Board. He apologized to the Board for appearing before them a

1 second time to request relief to replace existing one-car garage with a two-
2 car garage. The original request, which was approved, was for building
3 coverage; however, it turned out there was a discrepancy in floor area ratio
4 (FAR). He believes this was because he was working with the exterior
5 measures of the house rather than the interior measures. In any case, the
6 house/garage combination is in excess of allowable FAR.

7 Mr. Klein noted that the Kims have met with neighbors, and letters of
8 support have been supplied to the Board.

9 The lot is a legal non-conforming lot of record. The home is a pre-code
10 structure built in 1950. If the home was built before 1950, the garage would
11 be permissible as a matter of right. Mr. Klein found the original permitting,
12 but did not find additional permitting for the one-story addition in the back
13 of the home. Chairman Neiman asked how that fits in with the request for
14 variation for a home built in 1950. Mr. Klein stated the bulk of the building
15 was constructed prior to 1988 and therefore he does not believe the
16 addition should have an effect on how the Board looks at the request. The
17 one-story addition has been there a long time, prior to the current code in
18 1988. The request is the same as the last time; a modest, minimal sized
19 garage to fit two cars. Chairman Neiman recommended that in the future,
20 Mr. Klein bring forward with the application, any information and square
21 footage of an addition. Mr. Klein commented that more recently built area
22 houses are two-story homes to allow for building coverage requirements.
23 He thinks this house is comparable to the neighbors, there is only one other
24 one-car garage in the area. He contends the inability to have a two-car
25 garage is inconsistent with modern living. The changes in the Village
26 zoning code for building coverage and FAR are not the result of any action
27 of the Kims. The approval of a two-car garage will have no negative
28 change to the character of the area. Other than demolishing a portion of
29 the house, there is no other remedy. This is a reasonable and appropriate
30 request.

31 Chairman Neiman expressed frustration with the verbal recounting of the
32 standards; he would have liked to have had them in writing. Mr. Klein
33 produced a document for the Board.

34 Mr. McGinnis said the engineering and grading plan have been approved,
35 but it was noted that the physical location of the garage could shift slightly.
36 Discussion followed regarding the specific numbers of requested relief. Mr.
37 McGinnis outlined the discrepancies in calculations; Mr. Klein said he is
38 relying on the Village calculations. Mr. McGinnis said the architects
39 drawings are necessary for accurate calculation of FAR, because it is the
40 calculation of interior bulk and therefore can't be done from a survey.
41 Member Podliska asked about elevation. Mr. McGinnis confirmed that the
42 proposed garage is within the allowable elevation of 15' feet to the mean.
43

44 Mr. Klein commented the housing stock in Hinsdale has turned over, there
45 are fewer small houses, but this is still a viable house. Unfortunately, the
46 inability to have a two-car garage creates a difficult living situation. He

asked the Board to consider the uniqueness standard in this light.
Member Biggert moved **to close the Public Hearing for V-01-16, 312 Phillippa**. Member Giltner seconded the motion.

AYES: Members Connelly, Moberly, Giltner, Biggert, Engel, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

DELIBERATIONS

Member Giltner commented he believes this is a reasonable request; the Board recommended approval last year when the building coverage was 8% over allowable, this time it is 2%. He was satisfied then and is now. Member Engel agreed, nothing new is proposed. Member Connelly concurred and all other Board members agreed.

Member Podliska moved **to recommend to the Board of Trustees approval of the variance known as V-01-16, 312 Phillippa**. Member Biggert seconded the motion.

AYES: Members Connelly, Moberly, Giltner, Biggert, Engel, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Chairman Neiman, for the purposes of guidance for the Board of Trustees, read the standards for approval into the record as follows:

1. Unique physical condition – the house as built in the given lot is too small to accommodate a two-car garage. The lot is a legal non-conforming lot of record and the home is a pre-code structure. The permit for the home was issued in May 1950, if the home had been built before 1950, the proposed 440' square foot garage would be permitted and no variance would be needed
2. Not self-created – the lot existed as is and the home was built before the current ownership and before the current zoning code.
3. Denial of substantial right – Several changes to FAR and building coverage restrictions, application of the code and provisions for legal non-conforming lots of record in pre-code structures preclude the Kims from building the smallest possible two-garage which is a common necessity. To deny the request would be a denial of a substantial right.

4. Not a special privilege – The family contends replacing an obsolete one-car garage with the smallest possible two-car garage is not a special privilege.
5. Variation consistent with Village code and plan purpose – The proposed variation will further the maintenance of a single-family home of an appropriate residential scale and character.
6. Essential Character of the area – The proposed garage is consistent with the character of area, and will affect no change. The neighbors have not filed any objection, and some have provided a letter of support.
7. No other remedy – For a two car garage, there is no other remedy.

For these reasons this Board recommends the Village Board of Trustees approve this variation.

8. NEW BUSINESS – None

9. OTHER BUSINESS – None

10. ADJOURNMENT

With no further business before the Zoning Board of Appeals, Member Biggert made a motion to **adjourn the meeting of the Zoning Board of Appeals of March 16, 2016**. Member Podliskal seconded the motion.

AYES: Members Connelly, Moberly, Giltner, Biggert, Engel, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Chairman Neiman declared the meeting adjourned at 7:18 p.m.

Christine M. Bruton
Village Clerk

Approved: _____

**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-01-16

APPLICATION: For Certain Variations Relative to a Proposed Two-Car Garage

**APPLICANT &
PROPERTY OWNER:** Amy Duong Kim, as Trustee/Property Owner

PROPERTY: 312 Phillippa Street, Hinsdale, Illinois

HEARING HELD: March 16, 2016

SUMMARY OF REQUEST AND RECOMMENDATION: The Village of Hinsdale has received a request from Amy Duong, Trustee/Property Owner (the "Applicant") of the property located at 312 Phillippa Street (the "Property"), for variations relative to a new proposed two-car garage at the Property, located in the R-4 Residential Zoning District. The Applicant, who resides on the Property with Howard Kim, has requested variations to the following Sections of the Zoning Code of the Village of Hinsdale ("Zoning Code"):

- 3-110(F) to allow a maximum building coverage that is 224 square feet in excess of the maximum allowed coverage of approximately 1,681 square feet;
- 3-110(E)(1) to allow a floor-area ratio ("FAR") of 2,865 square feet instead of the maximum allowable FAR for the Property of 2,800 square feet;
- 10-104(B)(6), which allows garages accessory to pre-code structures to be demolished and replaced with a detached garage not to exceed 440 square feet (the size sought here) if the residence on the property was built prior to 1950. The Applicant seeks a variation from this subsection as the residence on the Property was built in 1950, as opposed to prior to 1950 (collectively, this and the two preceding variation requests will be referred to herein as the "Requested Variations").

Following a public hearing held on March 16, 2016, the Zoning Board of Appeals of the Village of Hinsdale ("ZBA") recommended approval of the Requested Variations on a unanimous vote of seven (7) in favor and zero (0) opposed.

The variation regarding building coverage was considered and approved last year, but at the time, the need for a variation for FAR was not identified.

PUBLIC HEARING: At the public hearing on Applicant's Requested Variations held on March 16, 2016, the Applicant's attorney described the proposed garage, the history of

the Property, this matter and the related Zoning Code provisions, and the need for the Variations. He noted that the Applicant had received letters in support of the Requested Variations from the immediate neighbors. He also noted that Section 10-104(B)(6) of the Zoning Code allows detached accessory garages to be demolished and rebuilt as two-car garages regardless of the impact on FAR or building coverage in cases where: a) the residence was constructed prior to 1950, b) the residence does not have an attached garage, and c) the replacement garage does not exceed a total floor area of 440 square feet. The Applicant's attorney noted that the residence on the Property had been built in 1950 and that had it been built five months earlier, no zoning relief would be necessary. There appears to have been an addition on the back of the residence on the Property, but the majority of the residence dates from 1950. The addition dates from a time when Village lot coverage and FAR requirements are more relaxed, which is why it is a one-story addition. He noted that changes to the Zoning Code over the years have resulted in this and a number of other lots of record in the Village being nonconforming. The 440 square-foot garage is the minimum size that is functional with two cars. All of the new homes in the area have two-car garages, and only one older home in the area also has a one-car garage. Two-car garages are, in the opinion of Applicant's attorney, a virtual necessity of modern living, and allowing a two-car garage is compatible with the principles underlying the Village's Zoning Ordinance. The attorney also suggested that allowing the Variations would not have a negative impact on the area. Other than the Requested Variations, the only way to obtain the necessary FAR and building coverage to construct the two-car garage would be to remove the family-room addition.

Staff noted that the location of the proposed garage had been approved by engineering and that the proposed setbacks met the Zoning Code requirements. The proposed garage will be built on a new slab.

The Applicant noted that the current garage does not match the residence, but the new one will.

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 Variations. Following discussion, Member Giltner made a motion to recommend approval of the Requested Variations to the Board of Trustees, seconded by Member Biggert. The vote on the motion was seven (7) in favor and zero (0) opposed.

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

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 is a legal, nonconforming lot with a residence that received a building permit in 1950. If the residence had been constructed prior to 1950, the Zoning Ordinance would allow the demolition of the current one-car garage and construction of a 440 square-foot garage in its place as of right. A one-story family room addition was later added to the residence. If the Codes had been written then as they are now, the addition may have been constructed differently. Changing Zoning Code requirements over the years have created a situation where the Applicant is unable to build a two-car garage, which the Applicant's attorney aptly described as a "virtual necessity of modern living" on the Property without a variation. This older home remains viable.

3. *Not Self-Created:* A number of factors have combined to create the current unique situation, none of which were created by the Applicant.

4. *Denial of Substantial Right:* The application of the strict letter of the Zoning Code provisions from which the Requested Variations are sought would deprive the owner of the right to have a two-car garage; an amenity enjoyed by virtually all of the residences in the vicinity. Changes in the Zoning Code to FAR and build coverage have occurred since construction of the original residence, addition and garage. The Zoning Code allows owners who built their residences at virtually the same time as the Applicant sixty-six (66) years ago, to build the type of modest garage proposed here as of right – if the residence on the Property had been built five months earlier, no relief would be required.

5. *Not Merely Special Privilege:* The Applicants seek to replace an obsolete one-car garage with a basic two-car garage that, at 440 square feet, is the minimum size of a usable two-car garage. The ZBA finds that no special privilege is proposed here.

6. *Code And Plan Purposes:* The Requested Variations would result in a use or development of the subject property that would be in harmony with the general and specific purposes for which the Zoning Code and the provisions from which the Requested Variations are sought were enacted. Specifically, the Requested Variations will further the maintenance of a single-family residential scale and character of development and allow the continued use of the Property with the existing residence and a usable two-car garage, consistent with the purposes of the Zoning Code.

7. *Essential Character Of The Area:* The Requested Variations will not alter the essential character of the area. Among other things, the granting of the Requested Variations will allow the construction of a two-car garage consistent with virtually all other residences in the vicinity. In addition, no one spoke in opposition to the request, and letters in support of the request were received from neighbors.

8. *No Other Remedy:* The Requested Variations are the only remedy, short of removing the long-existing family room addition on the residence, that will allow construction of the smallest possible two-car garage.

RECOMMENDATIONS: Based upon the foregoing Findings, the ZBA, by a vote of 7-0, recommends to the Board of Trustees the **APPROVAL** of the following Variations sought by the Applicant for the Property at 312 Phillippa Street in the R-4 Residential Zoning District:

- A variation from Section 3-110(F) of the Zoning Code to allow a maximum building coverage that is 224 square feet in excess of the maximum allowed coverage of approximately 1,681 square feet (previously approved, now being reapproved as part of this request);
- A variation from Section 3-110(E)(1) of the Zoning Code to allow a floor-area ratio ("FAR") of 2,865 square feet instead of the maximum allowable FAR for the Property of 2,800 square feet; and
- A variation from Section 10-104(B)(6) of the Zoning Code, which allows detached garages accessory to pre-code structures to be demolished and replaced with a garage not to exceed 440 square feet (the size sought here), if the residence was built prior to 1950. The Applicant seeks a variation from this subsection as the residence on the Property was built in 1950, as opposed to prior to 1950.

Signed: _____

Robert Neiman, Chair
Zoning Board of Appeals
Village of Hinsdale



charles vincent george
ARCHITECTS

7a

March 11, 2016

Village of Hinsdale
Department of Community Development
19 E. Chicago Avenue
Hinsdale, Illinois 60521

Re: Variance Request for 108 E. 5th Street, Hinsdale, IL

To whom it may concern:

Please accept this application for Variation for the above noted property. Attached are the requested Variation packet questionnaire, List of all property owners within 250' of the property, Current Plat of Survey, Graphic indicating existing zoning, Site plan indicating the requested variance conditions and exterior elevations of the planned construction.

Below are responses to specific questions asked in the variation packet:

SECTION 1

Item 7 – Neighboring owners

See attached list of owners within 250'

Item 8 – Survey

See attached

Item 9 – Existing Zoning

The existing zoning is R-1 Single family and is surrounded by R-1 properties to the North, South and East. Across Garfield Avenue to the West of the property is R-4 Single Family zoning.

Item 10 - Statement of Conformity

The existing variation being sought is for an interior side yard relief only. The current property that is a single family detached residence in the R-1 zoning district is otherwise in conformity with the Village Official Comprehensive Plan and Official Map.

Item 11 - Zoning Standards

The construction of the addition to the property for which the setback variation is being requested will be identified in Construction documentation submitted by Charles Vincent George Architects. The variation requests the ability to demolish existing construction in place and build out a newer reduced footprint using a portion of the existing foundation. The footprint will be fully within the current footprint of the house and match the setback of the existing residence satisfying the placement given by the variation.

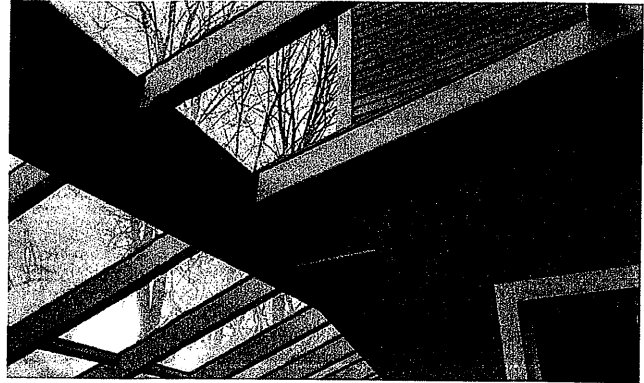
SECTION 2

Item 1- evidence of title

See attached

Item 5 – Standards for Variation

The existing property includes a sunroom addition on the South side of the residence that was completed in 1992. The glazed walls and roof of the structure have been failing for several years and have become a maintenance problem and financial burden. Due to the nature of the custom fabricated conservatory roof structure that has failed, the entire structure above the foundation line needs to be removed rather than a standard replacement of windows, roofing etc.... which would normally be considered maintenance.



Due to this complete removal, the Village has identified the replacement as a new structure rather than a remodeling of existing space and thus subject to all current zoning codes including a required 12.5' interior side yard setback which the current sunroom infringes on by 7.7'.

The existing sunroom is approximately 627SF and extends to 4.8' from the interior side South property line. The owners would like to demolish the existing sunroom with the exception of a majority of the existing foundations and rebuild the porch in its existing location on a reduced scale that is in better keeping with the Architecture of the original residence. This would require a variation from the interior side yard setback from the required 12.5' to 4.8'.

The condition is unique in that an existing use condition exists which the owner would like to maintain and improve, but, is subject to an insurmountable failure of the construction of the existing glazed roof and wall system. This failure requires full removal of the walls and roof. The forced complete removal is what triggers the code to comply with current standards.

This is not a self-created situation. The owners purchased the house as is and have been fraught with failing construction in the Sunroom.

The Denial of this variation denies the right of the owner to maintain their existing Sun Room and improve the aesthetics of it due only to the poor fabrication of the existing construction which must be removed in its entirety.

As the sunroom currently exists and this variation a result of failing construction, we do not believe this is granting a special privilege.

The variation would not result in a use or development of the subject property that is not in harmony with the specific use. It will maintain use as a single family residence with improved aesthetics and a reduced footprint from what exists today.

The variation would not be detrimental to public welfare or materially injurious to the enjoyment, use, development or value of property of improvements in the vicinity. We believe the beautification project will in fact enhance values. The building footprint is shrinking and therefore no supply of light will be lost to adjacent properties. No additional development is

planned that would create additional traffic or parking, would unduly increase danger of flood and fire, would unduly tax public utilities and facilities in the area or would endanger public health and safety.

Should there be any questions regarding this variation application, please call at 630-357-2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce George", with a long horizontal flourish extending to the right.

Charles Vincent George Architects, Inc.
Bruce George, President

**AFFIDAVIT OF TITLE
COVENANT AND WARRANTY**

STATE OF Illinois

)

) SS.

COUNTY OF DuPage

)

The undersigned affiant, being first duly sworn, on oath says, and also covenants with and warrants to the grantee hereinafter named:

John Campbell and Georganne D. Campbell

That affiant has an interest in the premises described below or in the proceeds thereof or is the grantor in the deed dated July 14, 2003, to John Campbell and Georganne D. Campbell grantee, conveying the following described premises:

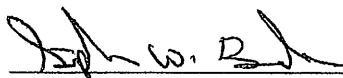
LOT 4 OF PEARSALL'S SUBDIVISION OF LOT 3 IN BLOCK 13 IN ROBBINS PARK ADDITION TO HINSDALE, IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

That no labor or material has been furnished for premises within the last four months, that is not fully paid for.

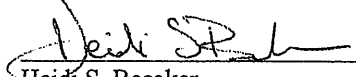
That since the title date of April 17, 2003, in the report on title issued by Premier Title Company, affiant has not done or suffered to be done anything that could in any way affect the title to premises, and no proceedings have been filed by or against affiant, nor has any judgment or decree been rendered against affiant, nor is there any judgment, note or other instrument that can result in a judgment or decree against affiant within five days from the date hereof.

That all water taxes, except the current bill, have been paid, and that all the insurance policies assigned have been paid for.

That this instrument is made to induce, and in consideration of, the said grantee's consummation of the purchase of premises.



Stephen W. Beeaker (SEAL)



Heidi S. Beeaker (SEAL)

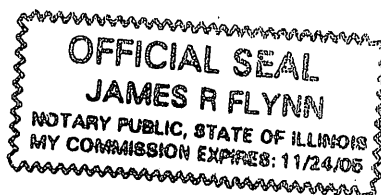
Subscribed and sworn to before me this 14th day of July, 2003.



Notary Public



Chicago Title Insurance Company



Zoning Calendar No. V-02-16

VILLAGE OF HINSDALE
APPLICATION FOR VARIATION

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

FILING FEES: RESIDENTIAL VARIATION \$850.00

NAME OF APPLICANT(S): John & Georganne Campbell

ADDRESS OF SUBJECT PROPERTY: 108 E. Fifth Street

TELEPHONE NUMBER(S): 630-531-1128

If Applicant is not property owner, Applicant's relationship to property owner.

DATE OF APPLICATION: 3/14/2016



SECTION I

Please complete the following:

1. Owner. Name, address, and **telephone number** of owner: John & Georganne Campbell
108 E. Fifth Street, Hinsdale, IL 60521 630-531-1128
2. Trustee Disclosure. In the case of a land trust the name, address, and **telephone number** of all trustees and beneficiaries of the trust: _____

3. Applicant. Name, address, and **telephone number** of applicant, if different from owner, and applicant's interest in the subject property: Bruce George, Charles Vincent George
Architects, 1245 E. Diehl Road, Suite 101, Naperville, IL 60563
630-357-2023
4. Subject Property. Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) 108 E. Fifth Street, Hinsdale, IL 60521
Lot 4 in Pearsall's subdivision of lot 3 in block 13 in Robbins
park addition to Hinsdale in the South half of the Northeast
Quarter of Section 12, Township 38 North, Range 11 East of the
third Principal Meridian, in Dupage County, Illinois.
5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:
 - a. Attorney: _____
 - b. Engineer: _____
Architect: Charles Vincent George Architects 1245 E. Diehl Rd, Suite 101,
 - c. _____
Naperville, IL 60563
 - d. _____



6. Village Personnel. 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. _____
b. _____

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.

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.

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.
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.
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.
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.
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. Title. 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. Ordinance Provision. The specific provisions of the Zoning Ordinance from which a variation is sought:

Interior Side Yard Setback

3. Variation Sought. 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.)

Sec. 3-110: Bulk, Space, And Yard Requirements: D. Minimum Yards 3. Interior Side, 6' plus 10% of lot width in excess of 50'. current lot width 114.85' = 12.5' seeking reduction to match existing structure of 4.8'

4. Minimum Variation. 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.)

Allow 4.8' Interior Side Yard Setback

5. Standards for Variation. 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) Denied Substantial Rights. 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) Code and Plan Purposes. 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) Essential Character of the Area. 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) 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.)

There is no other means to renovate the existing structure in place other than granting this variance. This we believe places undue hardship on the Owner. Without variance the Owner would be required to fully demolish the structure in question, including foundations or would require the Owner to further repair a poorly designed and aesthetically challenged room that is an eyesore to neighbors & diminishes the value of the home.

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.

1. 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. Application Fee and Escrow. 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. Establishment of Lien. 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 application, 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.

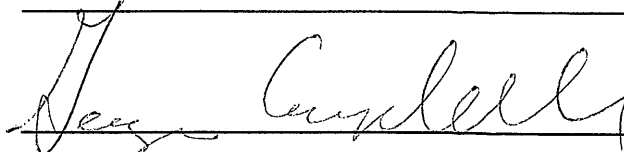
SECTION V

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:

Georganne Campbell

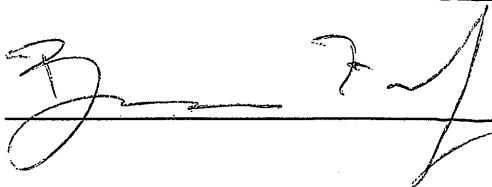
Signature of Owner:



Name of Applicant:

Bruce George, Charles Vincent George Architects

Signature of Applicant:



Date:

3/14/2016

Applicant: Georganne & John Campbell
108 E. 5th Street
Hinsdale, IL 60521

Neighbors (within 250' radius):

James & Claire Bitautus
425 Garfield
Hinsdale, IL 60521

Gwendolyn Huetteman
431 Garfield
Hinsdale, IL 60521

F & C Burger Geiersbach
513 Garfield
Hinsdale, IL 60521

Pamela Stern
605 Garfield
Hinsdale, IL 60521
(Note: Pamela Stern Billing Address: 1660 Primrose Lane, Glenview, IL 60026)

Dominick & Pamela Dolci
30 E. 5th Street
Hinsdale, IL 60521

Heather Gleason
36 E. 5th Street
Hinsdale, IL 60521

Roland & C Winterfield
514 Garfield
Hinsdale, IL 60521

David & Carol Sawyer
518 Garfield
Hinsdale, IL 60521

M & D Hayes Ratcliff
602 Garfield
Hinsdale, IL 60521

Donald D Dettore
33 E. 5th Street
Hinsdale, IL 60521

Peter M. Holstein
114 E. 5th Street
Hinsdale, IL 60521

Barbara Stucker
120 E. 5th Street
Hinsdale, IL 60521

John & Tracy Bauschard
132 E. 5th Street
Hinsdale, IL 60521

Titus & Roberta Chira
115 E. 5th Street
Hinsdale, IL 60521

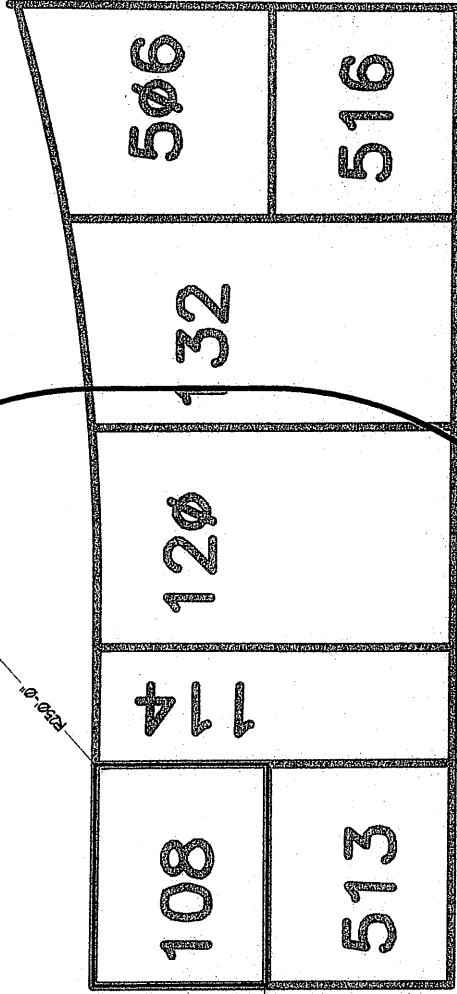
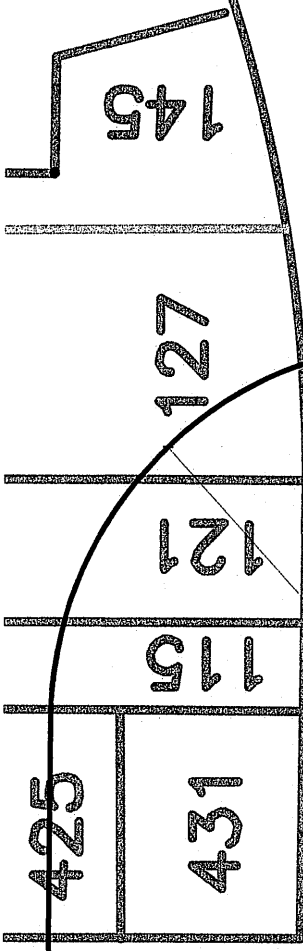
Peter & Meg Mason
121 E. 5th Street
Hinsdale, IL 60521

Gail M. Daily
127 E. 5th Street
Hinsdale, IL 60521

Marie McBride Trader
118 E. 6th Street
Hinsdale, IL 60521

D G & D P Dills
114 E. 6th Street
Hinsdale, IL 60521

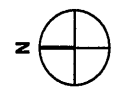
429



charles vincent george
ARCHITECTS
1245 E. Fifth St., Suite 101, Naperville, IL 60563
P: 630.357.2023 • F: 630.357.2662

INDICATES ZONE R1

INDICATES ZONE R4

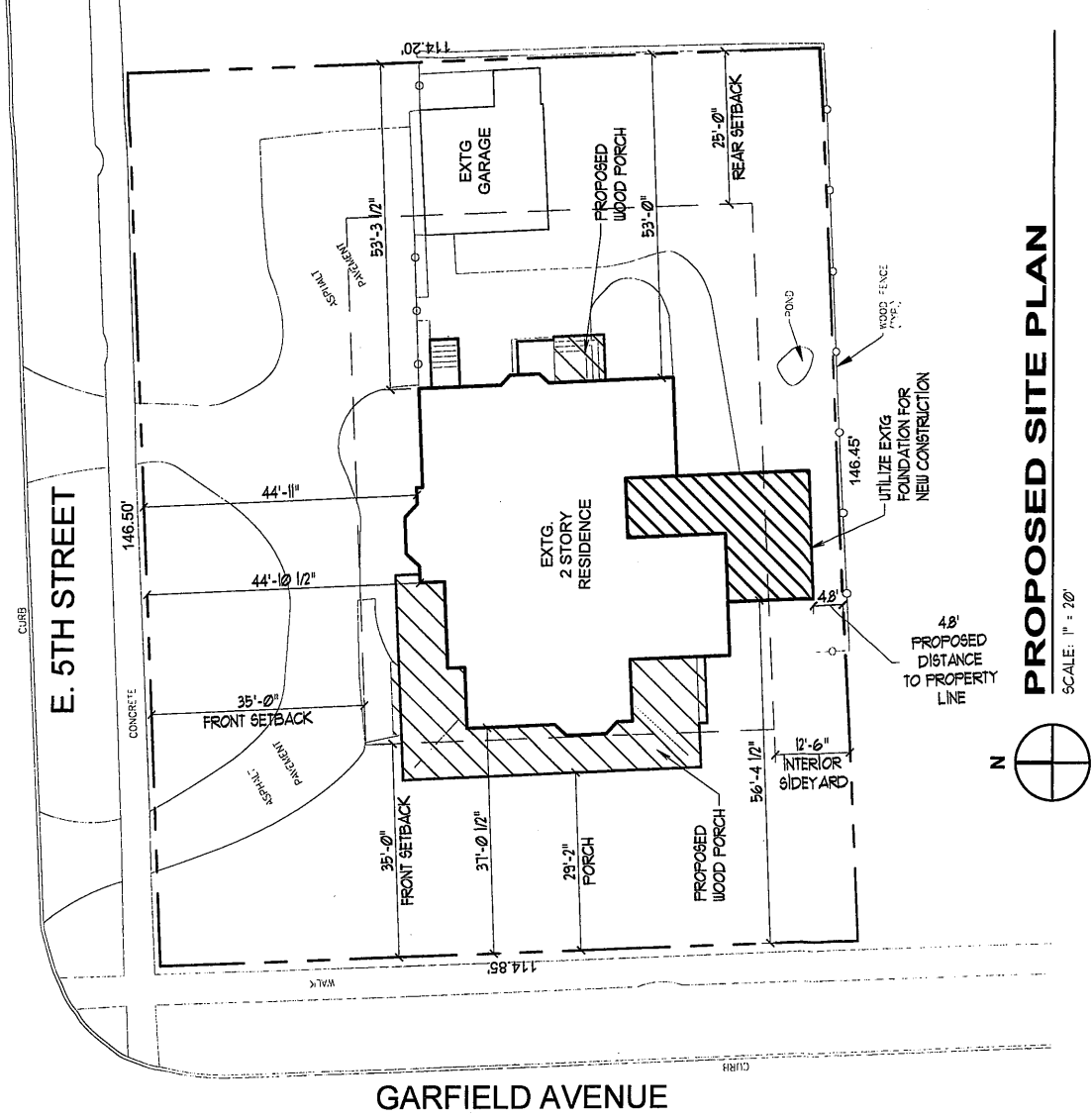


250' OFFSET FROM PROPERTY

SCALE: 1" = 50'-0"

CAMPBELL RESIDENCE
108 E. FIFTH STREET - HINSDALE, IL
09-03-2010 | PROJECT 1015-063

JURISDICTION:	HINSDALE, ILLINOIS			
ZONING:	R-1 NON-CONFORMING			
TYPE OF CONSTRUCTION:	MASONRY / WOOD FRAME			
	ALLOWABLE	EXISTING	PROPOSED	
MINIMUM LOT SIZE	30,000 SQ. FT.	16,714 SQ. FT.	NO CHANGE	
LOT WIDTH	125'-0"	114'-10"	NO CHANGE	
LOT DEPTH	125'-0"	146'-6"	NO CHANGE	
FRONT YARD SETBACK	35'-0" / 35'-0"	44'-10 1/2" / 31'-0 1/2"	NO CHANGE	
SIDE YARD SETBACK	6' PLUS 10% OF LOT WIDTH IN EXCESS OF 50' (12'-6")	48'	NO CHANGE	
REAR YARD SETBACK	25'-0"	53'-0"	NO CHANGE	
BUILDING HEIGHT	30'-0"	30'-0 3/4"	NO CHANGE	
BUILDING ELEVATION	34'-0"	34'-11 3/4"	NO CHANGE	
FAR	0.24 X LOT AREA + 1000 (5,225.16 SQ. FT.)	FIRST FLOOR: 2,881.46 SQ. FT. SECOND FLOOR: 2,153.59 SQ. FT. GARAGE: 230.00 SQ. FT. TOTAL = 5,265.05 SQ. FT.		
BUILDING COVERAGE	(EXCLUDING 1/2 OF DETACHED GARAGE)	FIRST FLOOR: 2,881.46 SQ. FT. SECOND FLOOR: 2,153.59 SQ. FT. GARAGE: 230.00 SQ. FT. TOTAL = 5,265.05 SQ. FT.		
TOTAL ACCESSORY USES: 10% OF LOT AREA (16,714.00 SQ. FT.)	COMBINED 25% OF LOT AREA (4,178.50 SQ. FT.)	FIRST FLOOR: 2,881.46 SQ. FT. PORCHES: 845.68 SQ. FT. GARAGE: 459.51 SQ. FT. TOTAL = 3,727.14 SQ. FT.		
		50% OF LOT AREA (8,357.00 SQ. FT.)		
		1,728.81 SQ. FT.		



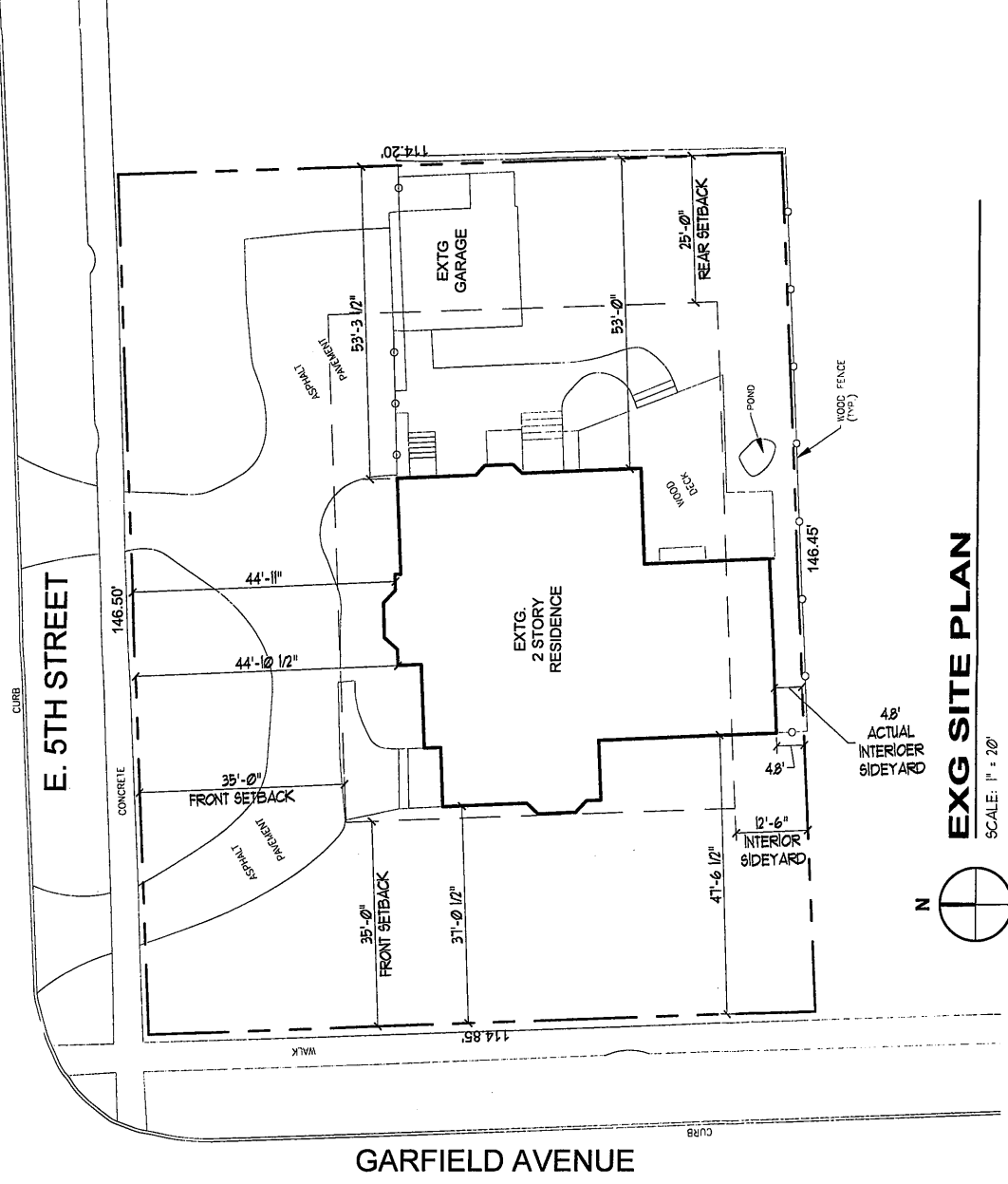
charles vincent george
ARCHITECTS
1245 E. Oakl Rd.
Naperville, Illinois
Suite 401
60563
P (630) 357-2023
F (630) 357-2662

ADDITION FOR:
108 E. FIFTH STREET
HINSDALE, IL


BULLETIN #
DATE: 2016-03-11
PRINCIPAL: BFG
PROJECT MGR: BG
DRAWN BY: E.W.

PROJECT #: 2015-063

1



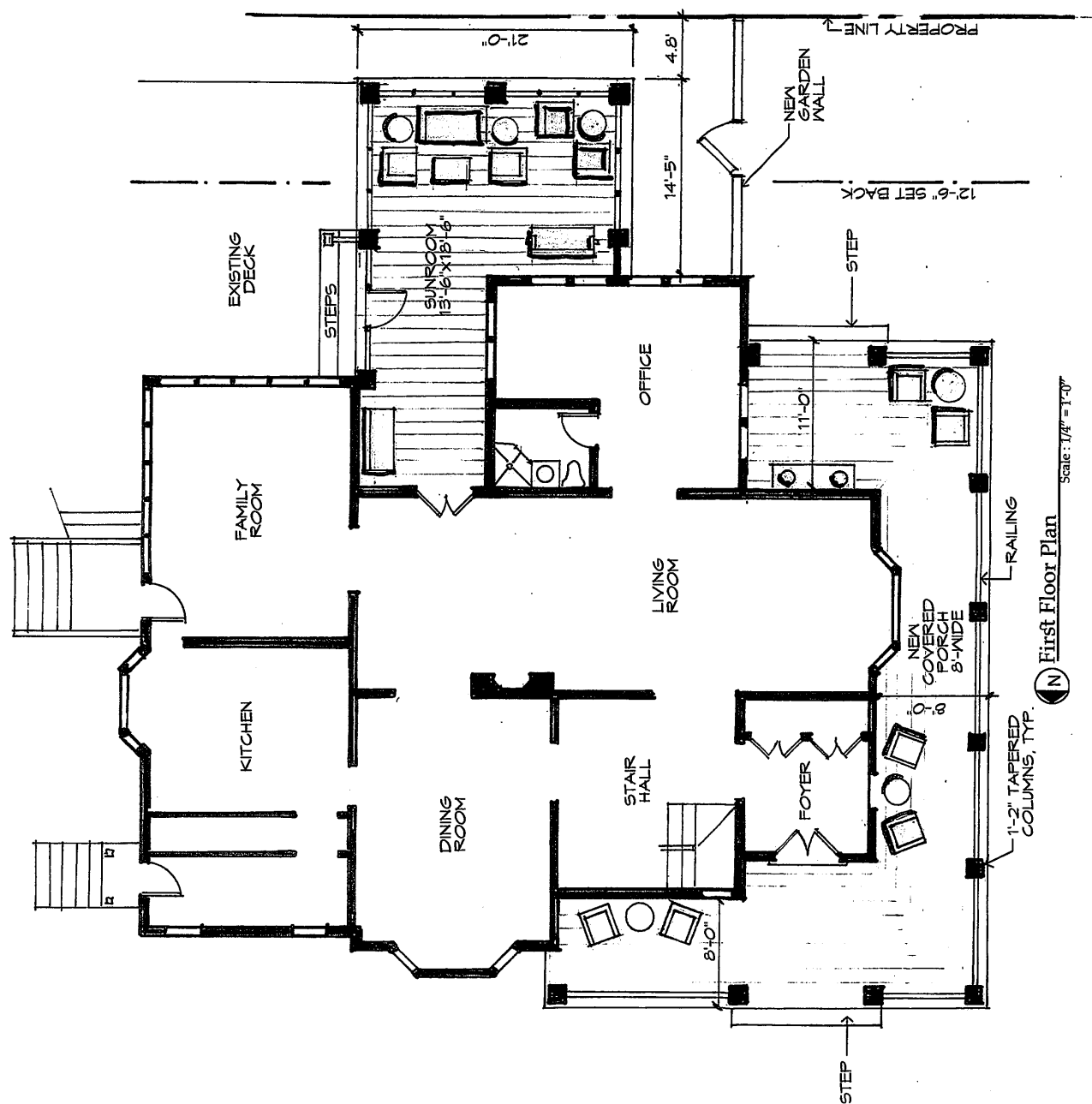
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DATE:	2016-03-11	PRINCIPAL:	BFG
PROJECT MGR:	BG	DRAWN BY:	E.W.
ADDITION FOR:		2	
108 E. FIFTH STREET			
HINSDALE, IL			



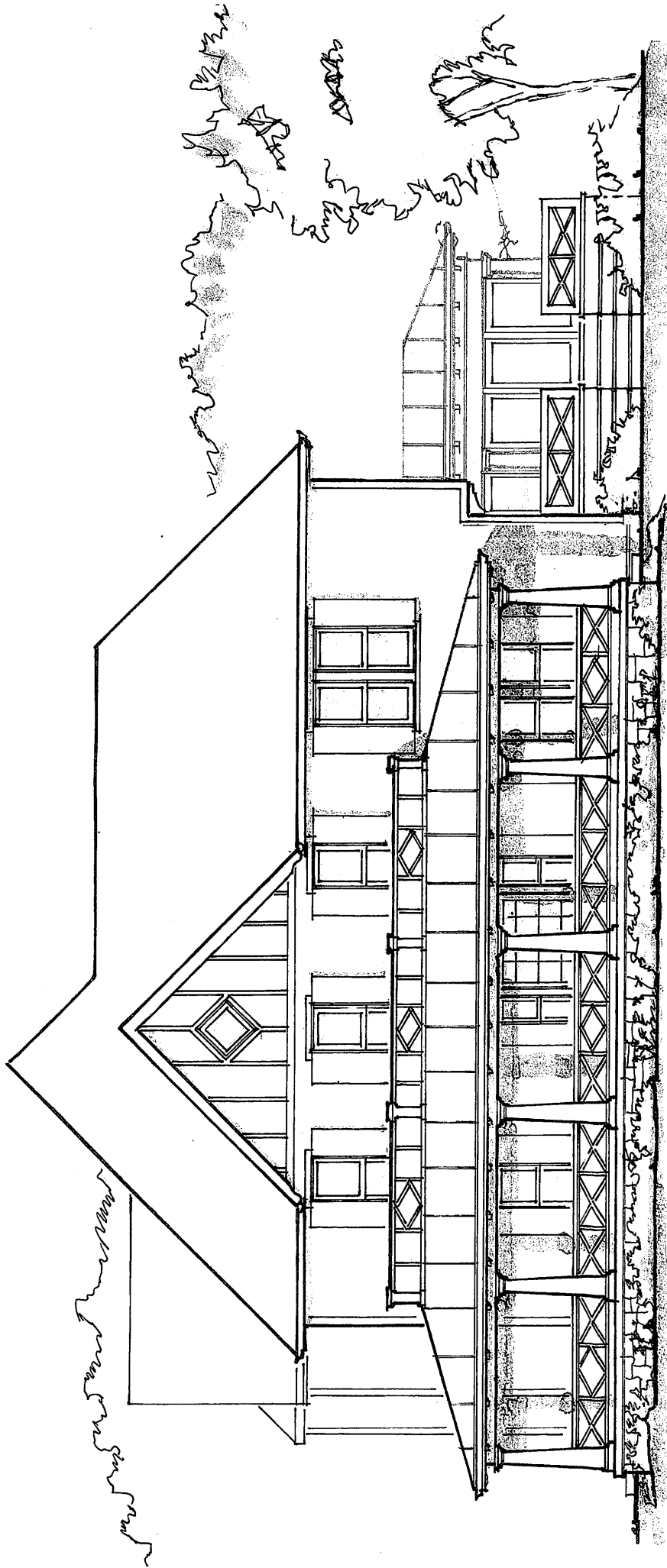
charles vincent george
ARCHITECTS

1245 E. Oak Hill Rd.
Naperville, Illinois 60563

Scale: 1" = 20'
p1603.357.2023
p1603.357.2023



Scale: 1/4" = 1'-0"
 (N) First Floor Plan

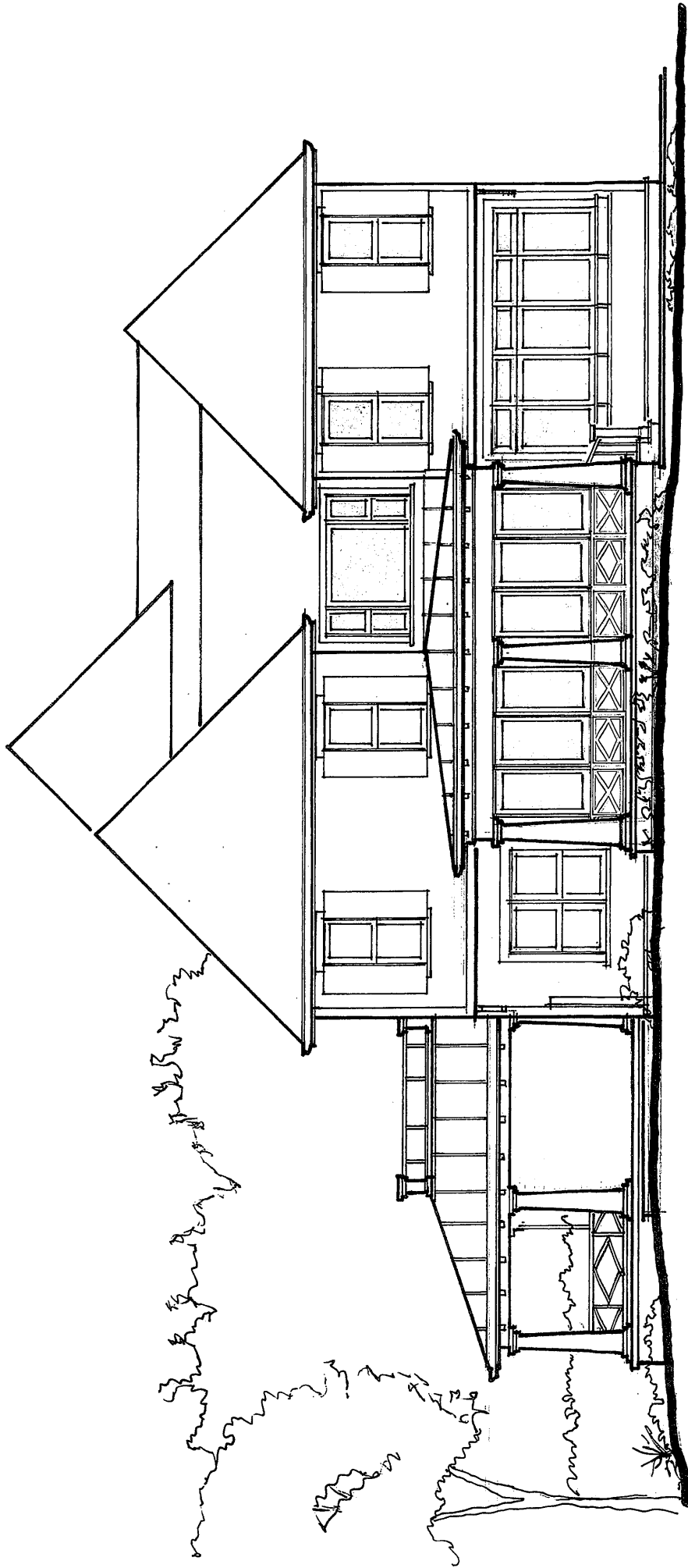


West Elevation
Scale: 3/16" = 1'-0"

Campbell Residence
108 E. Fifth Street - Hinsdale, IL
March 11, 2016 | project 2015-063



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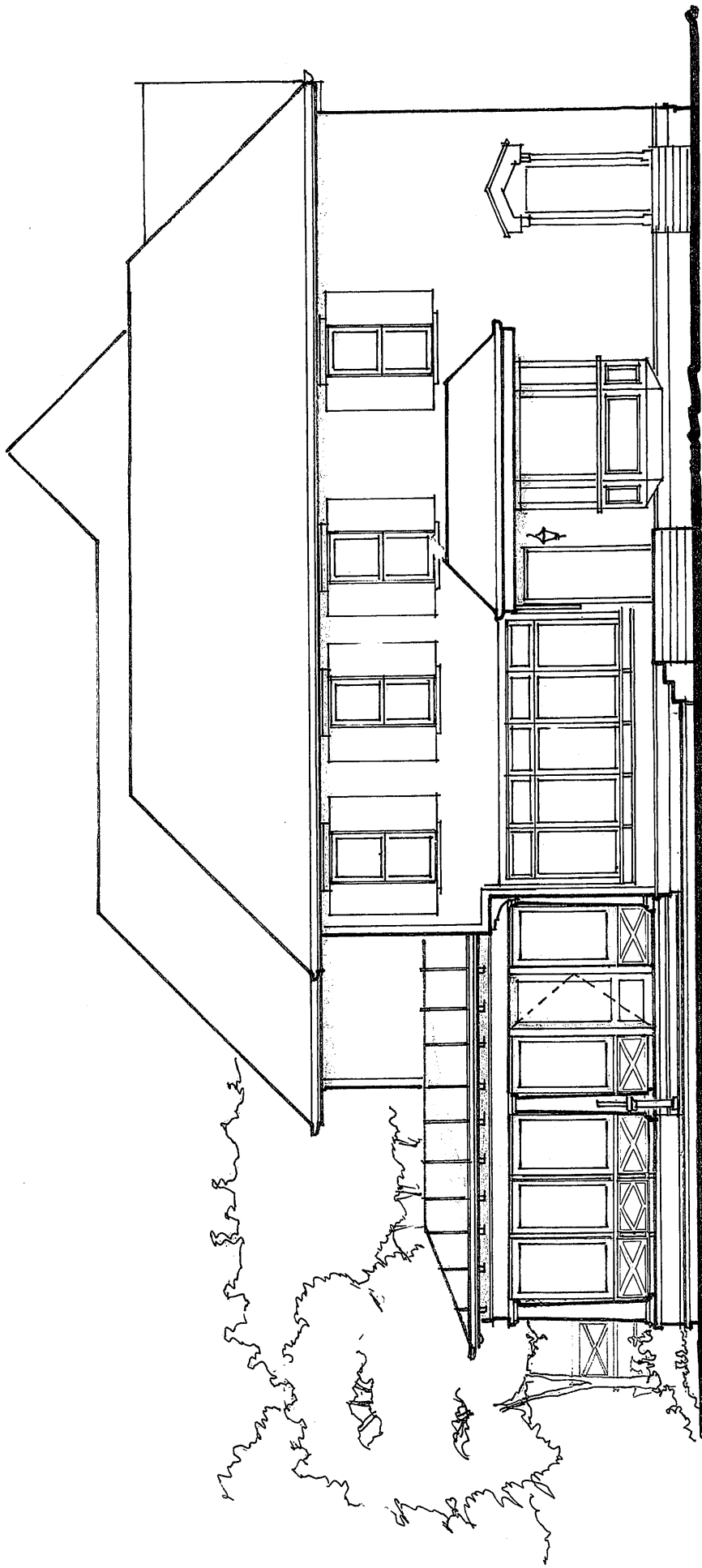


South Elevation
Scale: 3/16" = 1'-0"

Campbell Residence
108 E. Fifth Street - Hinsdale, IL
March 11, 2016 | project 2015-063



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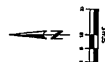
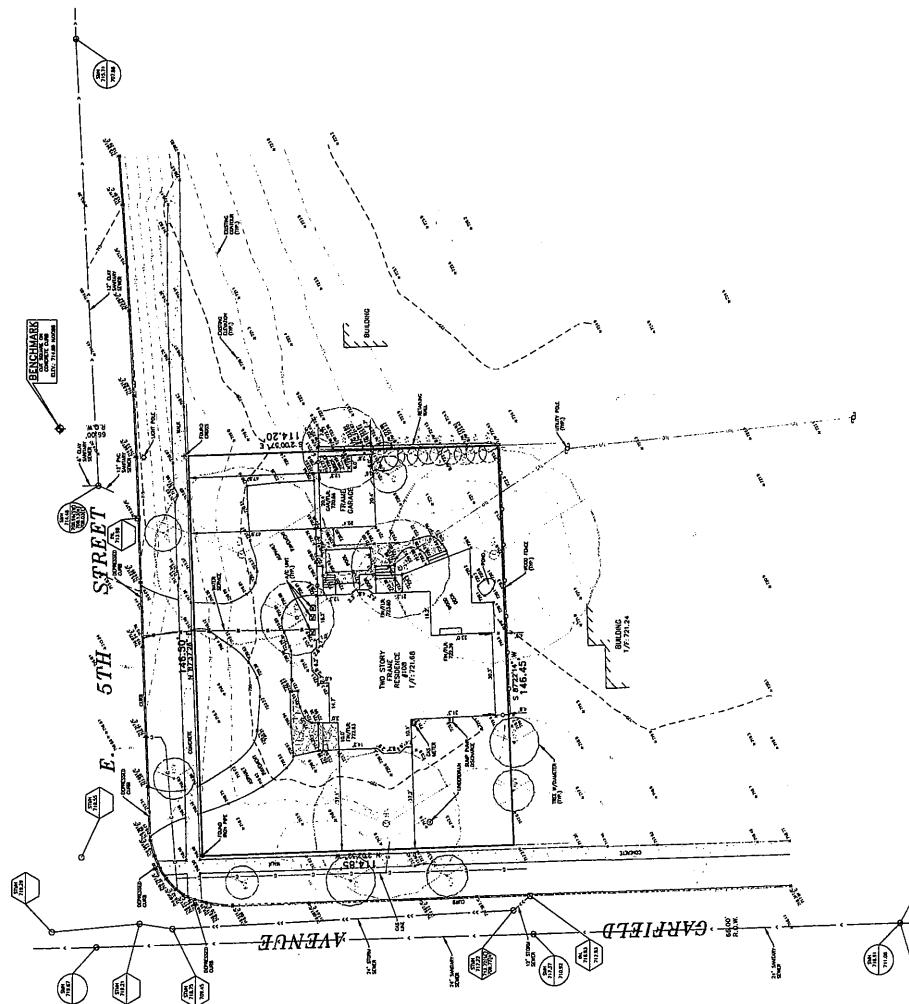
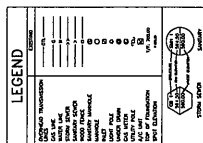
East Elevation
 Scale: 3/16" = 1'-0"

Campbell Residence
 108 E. Fifth Street - Hinsdale, IL
 March 11, 2016 | project 2015-063



charles vincent george
 ARCHITECTS
 1245 E. Diehl Rd. Suite 101 • Naperville, IL 60563
 P: 630-357-2033 • F: 630-357-2662

LOT 4 IN PEARSELL'S SUBDIVISION OF LOT 3 IN BLOCK 13 IN ROBBINS PARK ADDITION TO HINSDALE IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



PREPARED FOR:
GEORGANN CAMPBELL

LANDMARK

Call for the information 184-025377

7808 WEST 103RD STREET
PALOS HILLS, ILLINOIS 60465-1529

Phone (708) 599-3737
SURVEY No. 15-07-100

DATED: SEPTEMBER 4, 2015

7a

MEMORANDUM

TO: Chairman Neiman and Members of the Zoning Board of Appeals

FROM: Robert McGinnis MCP
Director of Community Development/Building Commissioner

DATE: June 11, 2014

RE: Zoning Variation – V-02-16; 108 E. Fifth Street

In this application for variation, the applicant requests relief from the minimum side yard setback requirements set forth in section 3-110-D2 for the construction of a room addition. The applicant is requesting a 7.7' reduction in the required interior side yard from 12.5' to 4.8'.

This property is located in the R-1 Residential District in the Village of Hinsdale and is located on the southeast corner of 5th Street and Garfield Avenue. The property has a frontage of approximately 114.85', a depth of approximately 146.45', and a total square footage of approximately 16,774. The maximum FAR is approximately 5,225 square feet, the maximum allowable building coverage is 25% or approximately 4,193 square feet, and the maximum allowable lot coverage is 50% or approximately 8,387 square feet.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-02-16