



MEETING AGENDA

ZONING BOARD OF APPEALS
WEDNESDAY, September 21, 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 July 20, 2016
- 4. APPROVAL OF FINAL DECISION**
 - a) V-03-16, 223 N. Garfield Street
 - b) V-04-16, 33 S. Monroe Street
- 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-05-16, 631 S. Garfield 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
July 20, 2016

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1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order Wednesday, July 20, 2016 at 6:35 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 June 15, 2016

Member Connelly noted a date error in the minutes. Member Moberly moved to **approve the minutes of the regular meeting of June 15, 2016, as amended.** Member Engel seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

4. APPROVAL OF FINAL DECISION – None

5. RECEIPT OF APPEARANCES

All persons intending to speak at the public hearings were sworn in by the court reporter.

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

7. PRE-HEARING AND AGENDA SETTING – None

8. PUBLIC HEARINGS

1 a) **V-03-16, 223 N. Garfield Street**

2 Ms. Beth Flaming addressed the Board, stating she has been the owner of
3 the property for 13 years. The home is 100 years old, and she has spent a
4 great deal of time, effort and money to improve and restore the property.
5 She is asking for a variance for a new three-car garage, and indicated the
6 elevations supplied to the Board that illustrate an attractive, appropriate
7 garage. She explained the hardship as a result of complying with code
8 due to the width of yard and the required 11' foot setback. The lot is
9 unusually deep, much more so than her neighbors. The new garage will be
10 further back in the yard, and would align with another in the neighborhood.
11 If it were placed according to code in the back 20% of the lot, it would be
12 over 140' feet from her back door. She commented this would make it very
13 difficult to shovel snow. The lot is 9' feet wider in the front than the back,
14 and because of the location of the house on the lot, there aren't any other
15 options for locating the garage. The architect made every effort to figure
16 out an alternative location. The footprint of the new garage is 32' feet wide,
17 but comes in 4' feet on each side at the back for the storage area. Without
18 relief, she would end up with a garage in the middle of the back yard, which
19 would ruin the view and create unusable tracts of land on each side and at
20 the back of the garage. They have proposed a two-foot setback, because
21 that is the requirement if it were in the back 20% of the lot. Ms. Flaming
22 provided statements of approval from her neighbors. It was confirmed that
23 building a two-car garage, instead of a three-car garage would not change
24 the need for this variation. Mr. McGinnis stated that FAR and lot coverage
25 bulk regulations will be confirmed.

26 Member Giltner moved to **close the public hearing for V-03-16, 223 N.**
27 **Garfield Street.** Member Connelly seconded the motion.

28
29 **AYES:** Members Connelly, Moberly, Giltner, Biggert, Engel, Podliska and
30 Chairman Neiman

31 **NAYS:** None

32 **ABSTAIN:** None

33 **ABSENT:** None

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35 Motion carried.
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38 **DELIBERATIONS**

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40 Chairman Neiman opened discussion. Member Engel stated her concern
41 would have been the three-car request, but that is not the issue in this case.
42 Chairman Neiman stated he believes all the criteria have been met for those
43 reasons detailed in the application. Member Moberly pointed out there is still a
44 lot of yard left, and this garage does not infringe on the neighbors. Member
45 Engel moved to **approve the variation request known as V-03-16, 223 N.**
46 **Garfield Street.** Member Connelly seconded the motion.

1
2 **AYES:** Members Connelly, Moberly, Giltner, Biggert, Engel, Podliska and
3 Chairman Neiman

4 **NAYS:** None

5 **ABSTAIN:** None

6 **ABSENT:** None

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8 Motion carried.

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11 b) **V-04-16, 33 S. Monroe Street**

12 Mr. Robert Saunders, homeowner, provided background for the Board as it
13 relates to the replacement of his 85-year old dilapidated, beyond repair
14 garage and shed. Currently, the garage is too shallow for modern cars,
15 and has no architectural significance. He noted both are legal non-
16 conforming structures. The proposed garage will replace both of those,
17 reduce the existing non-conformity, and the design is consistent with
18 neighborhood.

19 He is asking for relief of the side yard setback. He would like to put the
20 garage closer to the north lot line, specifically 5' feet off the north lot line.
21 The zoning code would require 8.5' feet off the lot line. He said it is worth
22 noting the property is otherwise within code.

23 If the garage was placed according to code, the garage would be 3' feet off
24 the alley, and there would be no way to see when backing out.
25 Additionally, there is a utility pole on the northern property line, which
26 would be difficult to navigate. Mr. McGinnis noted the alley drive aisle is
27 about 8' feet, which is very narrow.

28 Mr. Saunders explained they are also motivated to relocate the garage to
29 protect two mature spruce trees on the property. Their arborist concluded
30 the trees would be at risk if locating the garage according to code. He
31 believes the age and condition of the garage, the proximity of significant
32 trees, and the narrowness of the alley are not self-created, and existed at
33 time of purchase. He believes losing the trees would be a detriment to
34 them and neighborhood. He addressed each of the approval criteria and
35 provided letters of approval from his neighbors. He confirmed they have no
36 plans to remove the spruce trees. Member Podliska moved to **close the**
37 **public hearing for V-04-16, 33 S. Monroe Street.** Member Biggert
38 seconded the motion.

39
40 **AYES:** Members Connelly, Moberly, Giltner, Biggert, Engel, Podliska and
41 Chairman Neiman

42 **NAYS:** None

43 **ABSTAIN:** None

44 **ABSENT:** None

45
46 Motion carried.

DELIBERATIONS

Chairman Neiman commented this applicant, and the previous applicant, did an exceptional job addressing the approval criteria. He believes that all criteria for this case were met, and is completely consistent with the code. The Board concurred. Member Moberly moved **to approve the variation request known as V-04-16, 33 S. Monroe Street**. Member Biggert seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried

9. NEW BUSINESS – None

10. OTHER BUSINESS – None

11. ADJOURNMENT

With no further business before the Zoning Board of Appeals, Member Engel made a motion to **adjourn the meeting of the Zoning Board of Appeals of July 20, 2016**. Member Moberly 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 7:06 p.m.

Approved: _____

Christine M. Bruton
Village Clerk

FINAL DECISION

**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
PETITION FOR VARIATION**

Zoning Calendar: V-03-16

Petitioner: Beth Flaming

Meeting held: Public Hearing was held on Wednesday, July 20, 2016 at 6:30 p.m. in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on June 23, 2015.

Premises Affected: Subject Property is commonly known as 223 N. Garfield, Hinsdale, Illinois and is legally described as:

PARCEL 1: THE NORTH HALF OF LOT 5 IN BLOCK 4 IN ALFRED WALKER'S ADDITION TO TOWN OF HINSDALE, IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS
PARCEL 2: THE SOUTH 9 FEET OF THE WEST 118 FEET OF LOT 6 IN BLOCK 4 IN ALFRED WALKER'S ADDITION TO HINSDALE, IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

Subject: In this application for variation, the applicant requests relief from the minimum side yard setback requirements set forth in section 3-110-D(2)(ii) for the construction of a detached garage. The applicant is requesting a 8.768' reduction in the required interior side yard from 10.768' to 2'.

Facts: This property is located in the R-4Residential District in the Village of Hinsdale and is located on the east side of Garfield between Hickory and Walnut. The property has a frontage of approximately 97.68', a depth of approximately 289.02', and a total square footage of approximately 26,695. The maximum FAR is approximately 7,339 square feet, the maximum allowable building coverage is 25% or approximately 6,674 square feet, and the maximum allowable lot coverage is 50% or approximately 13,348 square feet.

Action of the Board: Members discussed the request and agreed that the standards for variation set forth in 11-503 (F) of the Hinsdale Zoning Code had been met primarily due to the hardship created by the unique shape of the lot. Of particular note was the fact that the applicant would not have been able to build even a two-car garage without the requested relief.

A motion to recommend approval was made by Member Moberly and seconded by Member Engel.

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

NAYS: None

ABSTAIN: None

ABSENT: None

THE HINSDALE ZONING BOARD OF APPEALS

Chairman Robert Neiman

Filed this ____ day of _____, _____, with the office of the Building Commissioner.

FINAL DECISION

**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
PETITION FOR VARIATION**

Zoning Calendar: V-04-16

Petitioner: Julie & Rob Saunders

Meeting held: Public Hearing was held on Wednesday, July 20, 2016 at 6:30 p.m. in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on June 23, 2015.

Premises Affected: Subject Property is commonly known as 33 S. Monroe, Hinsdale, Illinois and is legally described as:

LOT 40 AND THE NORTH HALF OF LOT 39 IN INTERNATIONAL BANK SUBDIVISION, BEING A RESUBDIVISION OF BLOCK 1 IN STOUGH'S SECOND ADDITION TO HINSDALE, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID INTERNATIONAL BANK SUBDIVISION RECORDED OCTOBER 28, 1882, AS DOCUMENT 31034, IN DUPAGE COUNTY, ILLINOIS

Subject: In this application for variation, the applicant requests relief from the minimum side yard setback requirements set forth in section 3-110-D(2)(ii) for the construction of a detached garage. The applicant is requesting a 3.52' reduction in the required interior side yard from 8.52' to 5'.

Facts: This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the east side of Monroe between Chicago and Chestnut. The property has a frontage of approximately 75.21', a depth of approximately 125', and a total square footage of approximately 9,401. The maximum FAR is approximately 3,450 square feet, the maximum allowable building coverage is 25% or approximately 2,350 square feet, and the maximum allowable lot coverage is 60% or approximately 5,640 square feet.

Action of the Board: Members discussed the request and agreed that the standards for variation set forth in 11-503 (F) of the Hinsdale Zoning Code had been met primarily due to the narrow alley and the mature trees that would have to be removed if the relief was not granted.

A motion to recommend approval was made by Member Moberly and seconded by Member Connelly.

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

NAYS: None

ABSTAIN: None

ABSENT: None

THE HINSDALE ZONING BOARD OF APPEALS

Chairman Robert Neiman

Filed this ____ day of _____, _____, with the office of the Building Commissioner.

Ta

MEMORANDUM

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

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

DATE: August 15, 2016

RE: Zoning Variation – V-05-16; 631 S. Garfield

In this application for variation, the applicant requests relief from the driveway requirements set forth in 9-104-F3 for the construction of a circular driveway. The code requires that lots be a minimum of 75' wide to be allowed two curb cuts. The subject lot is 73' wide.

This property is located in the R-1 Single family Residential District in the Village of Hinsdale and is located on the east side of Garfield Street between Sixth and Seventh. The property has a frontage of approximately 73', an average depth of 207', and a total square footage of approximately 15,111. The maximum FAR is approximately 4,826 square feet, the maximum allowable building coverage is 25% or approximately 3,777 square feet, and the maximum lot coverage is 50% or 7,555.

cc: Kathleen Gargano, Village Manager
Zoning file V-05-16

7a

Zoning Calendar No. V-05-16

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): Robert & Christin Stefani

ADDRESS OF SUBJECT PROPERTY: 631 S. Garfield

TELEPHONE NUMBER(S): 832-577-9365 / 830-468-2733

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

DATE OF APPLICATION: 8/9/16

 **RECEIVED**
CB 8/12/16 1:25pm

SECTION I

Please complete the following:

1. **Owner.** Name, address, and **telephone number** of owner: Robert + Christin Stefani
631 S. Garfield Hinsdale, IL 832577 9365 / 6304682733

2. **Trustee Disclosure.** In the case of a land trust the name, address, and **telephone number** of all trustees and beneficiaries of the trust: NA

3. **Applicant.** Name, address, and **telephone number** of applicant, if different from owner, and applicant's interest in the subject property: NA

4. **Subject Property.** Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) 631 S. Garfield,
See attached plat of survey for legal
description.

5. **Consultants.** Name and address of each professional consultant advising applicant with respect to this application:
 - a. Attorney: Christin Stefani 631 S. Garfield
 - b. Engineer: _____
 - c. _____
 - 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. na
- b. na

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. *See attachment "Neighboring Owners"*

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:

Section 9-104 (ii) (A) (F) (3) (e) (ii) (A) Circular Drives: Interior
Lots. An interior or corner lot having a width of 75 ft. or more
may have a circular driveway with 2 curb cuts located in the
actual front yard.

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.)

A 2 foot variation. The minimum lot width calls
for 75 feet. My property has feet ()
per survey.

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.)

A 2 foot variation is the minimum
required and requested.

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 reasonable means to
solve these safety and congestion
concerns other than a circular
driveway.

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: Robert & Christina Stefani

Signature of Owner: Rj Ste Christi Ste

Name of Applicant: Christina Stefani

Signature of Applicant: Christina Stefani

Date: 8/12/14

631 S. Garfield Hinsdale Illinois
Application For Variation

10. **Conformity Statement**

The nature and character of the subject property and immediate surroundings are completely single family detached residential in appearance and use. The approval being requested does not deviate from this appearance in any way.

11. **See #5 below**

Section II Number 5 Standards For Variation

Reasons supporting the grant of the requested variation are safety and precedent.

Safety:

- It would be safer for the drivers along Garfield, the pedestrians along Garfield and the drivers in my driveway if a circular driveway were permitted. A circular driveway would allow those exiting my driveway to have greater visibility of cars and pedestrians, thereby creating a safer environment for all.
- If a variation for a circular driveway is not granted, cars will continue to back out of my driveway into Garfield. This decreases safety and increases traffic congestion on Garfield.
- According to the Village's engineer, there are 7,000 (seven thousand) cars per day which travel on the segment of Garfield in front of 631 S. Garfield. See attached deposition.
- There are many large tree trunks (particularly to the north which partially blocks the visibility of drivers backing out of my driveway. This reduces safety.
- I have two children approaching teenage/driving years. The village would be a safer place if they and their friends had a circular driveway to use.
- Other Hinsdale residents driving carpool with my children or parking in my driveway have complained about the unsafe nature of backing out of my driveway onto Garfield. In fact, several years ago, one such parent got into an accident backing out of my driveway. Please contact Rosemarie Gininni at 630-537-1488 to discuss this incident if needed.
- Given the excessive traffic flow on South Garfield it would be in the best interest of the drivers and pedestrians to allow this safer and more efficient ingress/egress via a circular driveway. Cars which back out of my driveway are slower-moving thereby increasing congestion on Garfield.

Precedent:

- While I realize all scenarios are unique as they relate to zoning variations, my next door neighbor was granted a similar variance for his property at 629 S. Garfield. Also see 938 S. Grant where another variation was permitted for a similar reason.

Standards for Variation

- (a) Unique Physical Condition.** This request is safety related as the lot is too narrow.
- (b) Not self created.**
- (c) Denied Substantial Rights.** The drivers in my family and those coming to my home as guests are subject to decreased safety each time they back out of the driveway.
- (d) Not merely Special Privilege.** I am not seeking special privilege, just safe and efficient driveway egress.
- (e) Code and Plan Purpose.** The result of the allowance of this variation is entirely consistent with neighboring properties.
- (f) Essential Character of the Area.**
 - 1. The variation would be in the public's best interest as drivers and pedestrians would have a safer environment where drivers would be enjoying greater visibility driving forward.
 - 2. This variation does not impair light and air in any way.
 - 3. This requested variation does not increase congestion. Rather, it relieves congestion as cars would not be backing out onto Garfield.
 - 4. Proposed variation does not increase danger of flood or fire.
 - 5. Proposed variation does not tax utilities or facilities.
 - 6. Proposed variation increases public safety.

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

BEFORE THE HINSDALE ZONING BOARD OF APPEALS

In the Matter of:)
)
629 S. Garfield)
)
CASE NO. V-13-13)

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 the 18th day of December, A.D.
2013, at the hour of 7:30 p.m.

BOARD MEMBERS PRESENT:

- MS. DEBRA BRASELTON, Chairman;
- MR. RODY BIGGERT, Member;
- MR. MARC CONNELLY, Member;
- MR. KEITH GILTNER, Member;
- MR. GARY MOBERLY, Member.

1 ALSO PRESENT:

2 MR. ROBB MCGINNIS, Director of
3 Community Development/Building
4 Commissioner;
5 MS. CHRISTINE BRUTON, Deputy Village
6 Clerk.

7 -----
8 CHAIRMAN BRASELTON: The next item on
9 our agenda V-13-13, 629 South Garfield. If
10 there's anybody in the room who is going to
11 speak, may speak, is thinking about speaking,
12 let's have you all sworn in at once.

13 (WHEREUPON, the witnesses were
14 duly sworn.)

15 CHAIRMAN BRASELTON: Thank you.
16 Mr. Bomba.

17 MR. BOMBA: My name is Bryan Bomba. My
18 wife, Sue, and I own the property at 629 South
19 Garfield, and the property that we own has a lot
20 width of approximately 74 feet, and it's my
21 understanding that we need 75 feet in order to
22 get permission to build a circular driveway.

3

1 So, we're here tonight to respectfully request
2 permission for a one-foot variation.
3 The exclusive purpose of the
4 request is safety-related. It's my
5 understanding that about 7,000 vehicles per day
6 travel down South Garfield. To disallow the
7 variation would require that the drivers at my
8 house would need to back out into Garfield. And
9 as you know, your vision is significantly less
10 than 180 degrees when you're backing out. The
11 denigration in vision loss is further
12 accentuated by the fact that there are rows of
13 old growth trees along the parkway on Garfield,
14 so it's unsafe to back out into that driveway on
15 a regular basis.

16 The pedestrians that use the
17 sidewalk in front of my house include train
18 commuters and a lot of middle school kids
19 because the middle school is about a quarter
20 mile away.

21 The third category of public that I
22 think would have a higher level of safety if we

1 were given the circular driveway would be
2 cyclists. I've noticed that the cyclists
3 sometimes use the driveway -- or strike that --
4 the sidewalk, sometimes they use the street,
5 sometimes they use both, and compared to the
6 pedestrians and compared to the cars, the
7 cyclists are even more difficult to see.

8 In my household we have a total of
9 six drivers: My wife and I, we have two
10 teenagers, and we have two of the grandmas who
11 live with us for extended periods of time of.
12 All drivers are good drivers, but, you know, we
13 have two pools of drivers who are a little bit
14 in the higher risk category, if you know what I
15 mean.

16 Beyond the safety concern, there's
17 a concern about congestion, as well. If we're
18 in a position where the variation is disallowed
19 and we're going to be required to back into
20 Garfield on a regular basis, there's a time lag
21 between the time you're backing up, you're
22 shifting your transmission from reverse to

5

1 neutral, drive and moving forward, as opposed to
2 pulling forward into the traffic. These types
3 of concerns are those which are tied to the
4 ingress and egress of our house into and out of
5 Garfield that doesn't include complexities such
6 as parking for guests, which Garfield is not an
7 option for that, or delivery folks, as well.

8 Those are the main concerns I have,
9 you know, exclusively tied to the umbrella of
10 safety, and I'm happy to answer any questions
11 you folks have about that this evening.

12 CHAIRMAN BRASELTON: Not directly
13 related to our approval, but you mentioned a row
14 of mature trees. Are you going to have to
15 remove any trees if you do this?

16 MR. BOMBA: There would be one tree we
17 have to remove.

18 CHAIRMAN BRASELTON: And you have to go
19 through separate process for that, are you
20 aware?

21 MR. BOMBA: I've been in close
22 communication with staff relative to that.

1 CHAIRMAN BRASELTON: You need to go to
2 EPS and get approval -- I just want to make sure
3 you know that.
4 MR. BOMBA: Thank you for mentioning
5 that.
6 MR. MOBERLY: How long have you lived
7 there?
8 MR. BOMBA: I've owned the property
9 since October. No one resides there yet because
10 we're constructing a new house there.
11 MR. MOBERLY: Did the previous owners
12 have a circular -- I guess not, right?
13 MR. BOMBA: It's my understanding that
14 the woman who owned the house previous to my
15 ownership, she's now 92 and has been living in
16 assisted living for a number of years and to my
17 knowledge hasn't driven in some time. In
18 addition to the information which I've provided,
19 three of the neighbors who are in close
20 proximity to me have been kind enough to write
21 letters, which I shared with Chris who
22 voluntarily are in favor, two of whom are the

7
1 neighbors who are contiguous to us, the
2 Steffani's to the south and the Mefford's to the
3 north.
4 CHAIRMAN BRASELTON: Do we have those?
5 MS. BRUTON: No, because I forgot to
6 put them out there, but they do exist, and I can
7 go get them.
8 Sorry, Bryan, I promised you I
9 would do that, and I completely forgot.
10 MR. BOMBA: That's all right.
11 CHAIRMAN BRASELTON: Anything else?
12 Questions, anybody?
13 MR. BIGGERT: We've had cases like this
14 before.
15 CHAIRMAN BRASELTON: We did have one
16 on --
17 MR. BIGGERT: On Grant Street.
18 MR. MOBERLY: Are there any water
19 issues with any of the neighbors?
20 MR. BOMBA: I'm sorry?
21 MR. MOBERLY: Any water issues with any
22 of the neighbors?

1 MR. BOMBA: There actually is some
2 standing water on the north side of the property
3 in the back which Mr. and Mrs. Mefford and my
4 wife and I have been jointly working on
5 rectifying. From the Village's point of view,
6 there hadn't been any water issues, but we like
7 to be a little bit more than proactive when it
8 comes to those types of things.
9 CHAIRMAN BRASELTON: Okay. Anything
10 else?
11 MR. BOMBA: I don't have anything else
12 to offer, but the Mefford's were nice enough to
13 show up tonight.
14 CHAIRMAN BRASELTON: Did you want to
15 speak? Please join us at the podium if you
16 would.
17 MR. MEFFORD: I'm Dean Mefford. We
18 live at 617 South Garfield, the lot just to the
19 north of Bryan's new property. Just to confirm
20 what Bryan was saying, Garfield, I think -- I'm
21 sure all of you know, is a very, very busy
22 street. I'd like to see somebody eventually

9
1 complete County Line all the way across the
2 railroad so all those people from Burr Ridge
3 would have a different way to get to the
4 Interstate, but for now we have a lot of
5 traffic, and we do happen to have a circular
6 drive in front of our house, and it is a
7 blessing from a safety standpoint to move in and
8 out of there, particularly during the rush hour
9 times of the day because the traffic is quite
10 heavy.
11 So, Bryan's point on the safety
12 issue is very, very valid and particularly if
13 you have elderly drivers. I guess I would fall
14 into that category today, but also with
15 teenagers, it is an issue that I think is worthy
16 of a consideration. We literally have no
17 problem with the variance that Bryan is asking
18 for, so thank you.
19 CHAIRMAN BRASELTON: Thank you,
20 Mr. Mefford.
21 Is there anybody else who would
22 like to speak with regard to this application?

1 (No Response.)
2 CHAIRMAN BRASELTON: If no one else
3 wants to speak, is there a motion with regard to
4 the public hearing?
5 MR. MOBERLY: Move to close the public
6 hearing.
7 MR. CONNELLY: Second.
8 CHAIRMAN BRASELTON: Roll call, please.
9 MS. BRUTON: Member Connelly.
10 MR. CONNELLY: Aye.
11 MS. BRUTON: Member Moberly.
12 MR. MOBERLY: Yes.
13 MS. BRUTON: Member Giltner.
14 MR. GILTNER: Yes.
15 MS. BRUTON: Member Biggert.
16 MR. BIGGERT: Yes.
17 MS. BRUTON: Chairman Braselton.
18 CHAIRMAN BRASELTON: Yes.
19 (WHICH WERE ALL THE PROCEEDINGS
20 HAD IN THE ABOVE-ENTITLED
21 CAUSE ON THIS DATE.)
22

1 parties hereto, nor interested directly or
2 indirectly in the outcome of this action.
3 IN WITNESS WHEREOF, I do hereunto set
4 my hand of office at Chicago, Illinois, this
5 31st day of December, 2013.
6
7
8
9
10 Notary Public, DuPage County, Illinois.
11 My commission expires 5/24/14.
12
13
14
15 TARA M. ZENO, CSR No. 84-4268
16
17
18
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20
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22

11

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF C O O K)
4 I, TARA M. ZENO, CSR No. 84-4268, a
5 Notary Public within and for the County of
6 DuPage, State of Illinois, and a Certified
7 Shorthand Reporter of said state, do hereby
8 certify:
9 That previous to the commencement of
10 the examination of the witness, the witness was
11 duly sworn to testify the whole truth concerning
12 the matters herein;
13 That the foregoing hearing transcript
14 was reported stenographically by me, was
15 thereafter reduced to typewriting under my
16 personal direction and constitutes a true record
17 of the testimony given and the proceedings had;
18 That the said hearing was taken before
19 me at the time and place specified;
20 That I am not a relative or employee or
21 attorney or counsel, nor a relative or employee
22 of such attorney or counsel for any of the

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NEIGHBORING OWNERS

Address	Name	City	Parcel ID
605 S. Garfield	Vosseller Beverly	Hinsdale	912400001
114 E 6th St	Dills P G/Dills D P	Hinsdale	912400002
118 E 6th St	Trader Marie Mc Bride	Hinsdale	912400003
124 E 6th St	Kushner Keith/Kushner Stephanie	Hinsdale	912400004
132 E 6th St	Lee Jennifer L	Hinsdale	912400005
138 E 6th St	Noell III, John W & Megan	Hinsdale	912400006
144 E 6th St	Bossy David/ Bossy Deborah	Hinsdale	912400007
617 S. Garfield	Bolenbaugh, Kyle & Darci	Hinsdale	912400008
629 S. Garfield	Bomba Bryan A & Susan L Trust	Hinsdale	912400009
631 S. Garfield	Stefani Robert & Christin	Hinsdale	912400010
639 S. Garfield	Tan Franklin/Tan P wu	Hinsdale	912400011
115 E 7th St	Hoffman Christopher	Hinsdale	912400012
121 E 7th St	Sessa Michael J/ Sessa K L	Hinsdale	912400013
127 E 7th St	Danaher, John & Julie	Hinsdale	912400014
618 S. Park Ave	Martinelli G Dewey/Martinelli Risa	Hinsdale	912400015
626 S. Park Ave	Rogowski Thomas/Rogowski Amy	Hinsdale	912400016
135 E 7th St	Noell John/Noell Denise	Hinsdale	912400017
640 S. Park Ave	Nienhouse Robert F	Hinsdale	912400018
711 S. Garfield	Catalano, Mary M & Chris	Hinsdale	0912404003
2 E 7th St	Brown TR, Victoria	Hinsdale	0912311001
110 E 7th St	Zielke, Michael	Hinsdale	0912404001
122 E 7th St	Cunningham, Thomas & K	Hinsdale	0912404002
135 E 7th St	Noell, John & Denise	Hinsdale	091240017
706 S. Park	Atluri, Venkota	Hinsdale	0912404007
635 S. Park	Risinger, David & E	Hinsdale	0912401005
707 S. Park	Oldenkamp, Ronald & K	Hinsdale	0912405001
28 Ulm Pl	Chen Grace	Hinsdale	912305008
15 E 7th St	Makamai LLC	Hinsdale	912305009
17 E 7th St	Kenna, Regis & Caroline	Hinsdale	912305010
23 E 7th St	Barnard, Ross/Barnard Lind	Hinsdale	912305012
632 S. Garfield	Stock Cameron/Stock Ann	Hinsdale	912305013
636 S. Garfield	Dolehide, Mary Catherine	Hinsdale	912305015
644 S. Garfield	Ember G Howard/Ember P	Hinsdale	912305017
714 S. Garfield	Harvey, Nancy M	Hinsdale	0912311010
26 E 7th St	Young, James N	Hinsdale	0912311003
16 E 7th St	Otten, John W	Hinsdale	0912311002
30 E 7th St	Hodakowski, George & ER	Hinsdale	0912311004

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 1ST INSTALLMENT PAYMENT OF 2015 TAX

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

MDG2015 00138721 1 SP 0.450



09-12-400-010

STEFANI, ROBT & CHRISTIN

631 S GARFIELD AVE

HINSDALE IL 60521



1

ON OR BEFORE:	PAY:
JUNE 1, 2016	\$14,746.15
PAYING LATE?	PAY THIS AMOUNT:
JUN 2 THRU 30	14,967.34
JUL 1 THRU 31	15,188.53
AUG 1 THRU 31	15,409.73
SEP 1 THRU 30	15,630.92
OCT 1 THRU 31	15,852.11
NOV 1 THRU 16	16,073.30

U.S. POSTMARK IS USED TO DETERMINE LATE PENALTY.

PAYMENT OF THIS 2015 TAX BILL AFTER OCTOBER 31, 2016, REQUIRES A CASHIER'S CHECK, CASH OR MONEY ORDER.

CHECK BOX AND COMPLETE CHANGE OF ADDRESS ON BACK.

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 16, 2016

CCO MORTGAGE CORP has notified us of its intention to pay your real estate taxes. Please contact them if you have any questions. This bill is sent for information only. No return envelopes have been included.

1091240001019059000147461501

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 2ND INSTALLMENT PAYMENT OF 2015 TAX

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

09-12-400-010

STEFANI, ROBT & CHRISTIN

631 S GARFIELD AVE

HINSDALE IL 60521

2

ON OR BEFORE:	PAY:
SEPT 1, 2016	\$14,746.15
PAYING LATE?	PAY THIS AMOUNT:
SEP 2 THRU 30	14,967.34
OCT 1 THRU 31	15,188.53
NOV 1 THRU 16	15,419.73 *

*INCLUDES \$10 COST: SEE BACK OF BILL FOR EXPLANATION

U.S. POSTMARK IS USED TO DETERMINE LATE PENALTY.

PAYMENT OF THIS 2015 TAX BILL AFTER OCTOBER 31, 2016, REQUIRES A CASHIER'S CHECK, CASH OR MONEY ORDER.

CHECK BOX AND COMPLETE CHANGE OF ADDRESS ON BACK.

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 16, 2016

If your mortgage holder will be paying your second installment, please avoid making a duplicate payment. Contact them if you have any questions. No return envelopes have been included.

2091240001019059000147461502

Rate 2014	Tax 2014	Taxing District	Rate 2015	Tax 2015
		** COUNTY **		
.1237	595.24	COUNTY OF DU PAGE	.1185	623.48
.0267	128.48	PENSION FUND	.0256	134.69
.0411	197.77	COUNTY HEALTH DEPT	.0400	210.46
.0142	68.33	PENSION FUND	.0130	68.39
.1568	754.52	FOREST PRESERVE DIST	.1508	793.43
.0123	59.18	PENSION FUND	.0114	59.98
.0196	94.31	DU PAGE AIRPORT AUTH	.0188	98.91
		** LOCAL **		
NO LEVY		DU PAGE WATER COMM	NO LEVY	
.0349	167.93	DOWNERS GROVE TWP	.0346	182.04
.0029	13.95	PENSION FUND	.0022	11.57
.0545	262.25	DOWNERS GR TWP RD	.0532	279.91
.0019	9.14	PENSION FUND	.0018	9.47
.2480	1,193.37	VLG OF HINSDALE	.2961	1,557.93
.1555	748.26	PENSION FUND	.0936	492.47
.1677	806.97	VLG HINSDALE LIBRARY	.1601	842.36
.0146	70.25	PENSION FUND	.0128	67.34
NO LEVY		FLAGG CRK WATER REC	NO LEVY	
		** EDUCATION **		
2.7687	13,322.98	GRADE SCHL DIST 181	2.6620	14,006.11
.0768	369.56	PENSION FUND	.0730	384.08
1.5476	7,447.05	HIGH SCHOOL DIST 86	1.5057	7,922.24
.0445	214.13	PENSION FUND	.0535	281.49
.2975	1,431.65	COLLEGE DU PAGE 502	.2786	1,465.95
5.8095	<u>27,955.32</u>	TOTALS	5.6053	<u>29,492.30</u>

Mailed to:
STEFANI, ROBT & CHRISTIN
631 S GARFIELD AVE
HINSDALE IL 60521

Property Location:
631 S GARFIELD AVE
HINSDALE, 60521

Township Assessor:
DOWNERS GROVE
630-719-6630

Tax Code:
9059

Property Index Number:
09-12-400-010

Unpaid Taxes Due: NO

TIF Frozen Value	
Fair Cash Value	1,596,600
Land Value	112,720
+ Building Value	419,430
= Assessed Value	532,150 *
x State Multiplier	1.0000
= Equalized Value	532,150
- Residential Exemption	6,000
- Senior Exemption	
- Senior Freeze	
- Disabled Veteran	
- Disability Exemption	
- Returning Veteran Exemption	
- Home Improvement Exemption	
- Housing Abatement	
= Net Taxable Value	526,150
x Tax Rate	5.6053
= Total Tax Due	29,492.30

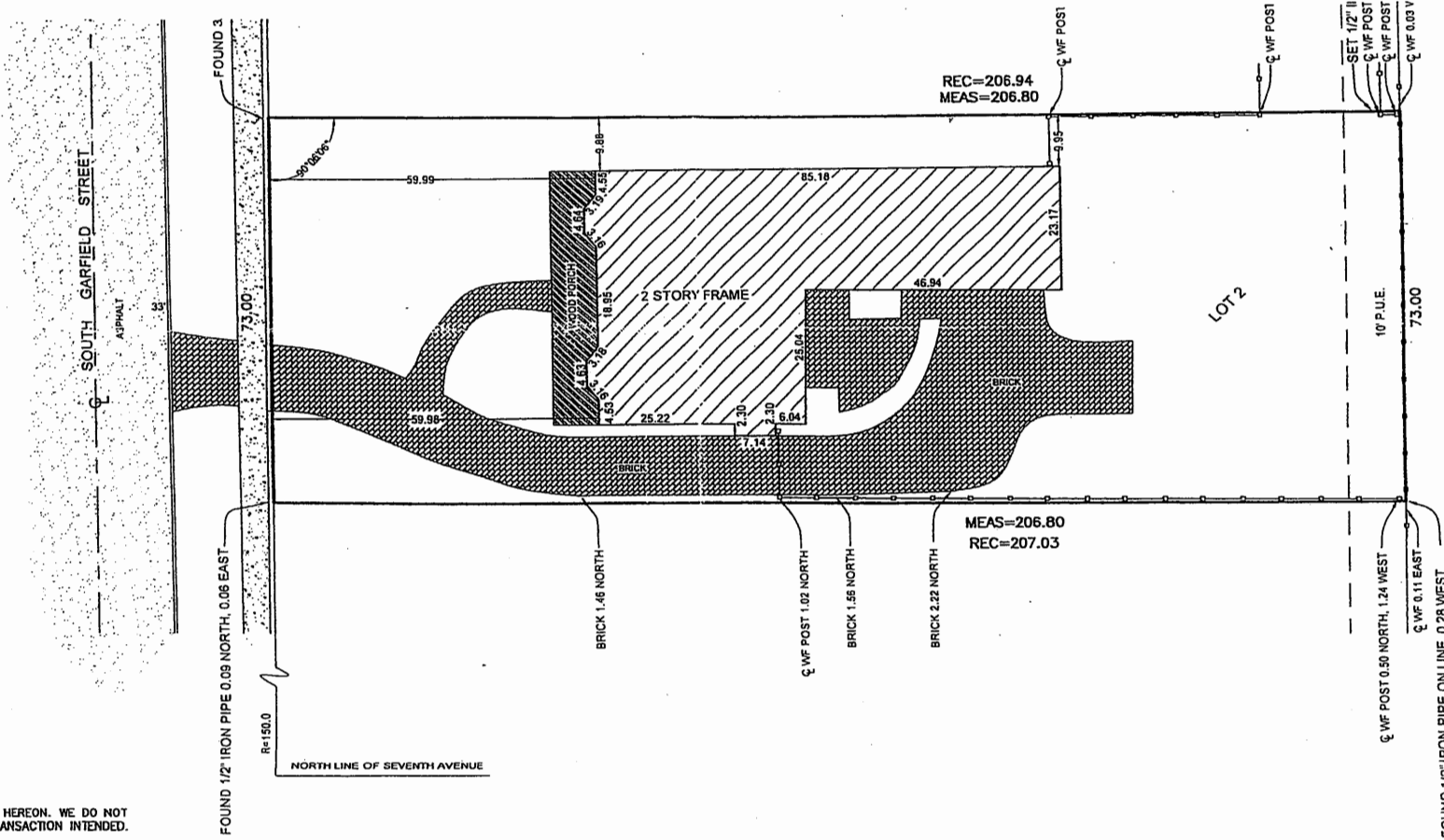
* S OF A FACTOR 1.0000

CHANGE OF NAME/ADDRESS:
COUNTY CLERK 630-407-5540



2015 DuPage County Real Estate Tax Bill
Gwen Henry, CPA, County Collector
421 N. County Farm Road
Wheaton, IL 60187

Office Hours - 8:00 am-4:30 pm, Mon-Fri
Telephone - (630) 407-5900



LEGAL DESCRIPTION SHOWN HEREON. WE DO NOT
 PROVIDE A FULL LEGAL DESCRIPTION FOR THE TRANSACTION INTENDED.

BUYER TO DEED OR TITLE POLICY AND REPORT ANY
 REVISION IMMEDIATELY, UNLESS OTHERWISE NOTED,
 OR OTHER RESTRICTIONS ESTABLISHED BY LOCAL

THE LOCATION OF SOME FEATURES MAY BE EXAGGERATED
 FOR THE INFORMATION SHOWN WITHOUT THE WRITTEN
 SURVEY. ONLY PLATS WITH AN EMBOSSED SEAL ARE OFFICIAL
 SURVEYS. SURVEY DATE LISTED BELOW.

12.

12.

GROUP LTD.

0-77

SCALE: 1" = 20'



LEGEND

B.L.	=	BUILDING LINES
P.U.E.	=	PUBLIC UTILITY EASEMENT
R.	=	RECORDED DIMENSION
C.L.	=	CENTER LINE
C.L.F.	=	CHAIN LINK FENCE
W.F.	=	WOOD FENCE



STATE OF ILLINOIS)
 COUNTY OF COOK) ss.

WE, SCHOMIG LAND SURVEYORS, DESIGN FIRM, LAND SURVEYORS, HAVE SURVEYED THE AFFIXED TO THIS PLAT.

ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF. BEARINGS, IF SHOWN AN ANGLE, ARE SHOWN TO INDICATE ANGLE.

THIS PROFESSIONAL SURVEY MEETS THE STANDARDS FOR A BOUNDARY SURVEY.

BY: *Russell W. Schomig*
 PROFESSIONAL LAND SURVEYOR

STREET ADDRESS: 631 S. GARFIELD STREET
CITY: HINSDALE COUNTY: DUPAGE
TAX NUMBER: 09-12-400-010-0000

LEGAL DESCRIPTION:

LOT 2 IN DICKINSON'S RESUBDIVISION OF LOTS 6 AND 7 (EXCEPT THE EAST 33.2 FEET THEREOF)
OF BLOCK 14 IN W. ROBBIN'S PARK ADDITION TO HINSDALE, A SUBDIVISION OF THE SOUTH 1/2 OF
THE NORTHEAST 1/4 AND THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION
12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE
PLAT OF SAID RESUBDIVISION RECORDED MARCH 30, 1950 AS DOCUMENT 589426, IN DUPAGE COUNTY,
ILLINOIS.

Chris Stefan

RGS