



MEETING AGENDA

ZONING BOARD OF APPEALS
WEDNESDAY, March 15, 2017
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 December 21, 2016
 - b) Regular meeting of January 18, 2017
 - c) Regular meeting of February 15, 2017
- 4. APPROVAL OF FINAL DECISION**
 - a) V-05-16, 631 S. Garfield 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-02-17, 724 North York Road (Hinsdale Animal Hospital)
 - b) V-03-17, 100 South Garfield Avenue (Hinsdale Middle School)
 - c) V-04-17, 435 Woodside
- 8. PUBLIC HEARINGS**
 - a) V-01-17, 26 East Sixth Street
- 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
December 21, 2016

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order Wednesday, December 21, 2016 at 6:35 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois. Chairman Neiman welcomed new member Mr. Joseph Alesia to the Board.

2. ROLL CALL

Present: Members Gary Moberly, Keith Giltner, Joseph Alesia and Chairman Bob Neiman

Absent: Members Marc Connelly, Kathryn Engel and John Podliska

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

3. APPROVAL OF MINUTES

a) Regular meeting of October 19, 2016

There were not enough eligible voting members present to approve, Chairman Neiman deferred this item to the next meeting of the Zoning Board of Appeals.

4. APPROVAL OF FINAL DECISION

a) V-05-16, 631 S. Garfield Street

There were not enough eligible voting members present to approve, Chairman Neiman deferred this item to the next meeting of the Zoning Board of Appeals.

5. RECEIPT OF APPEARANCES – None

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

7. PRE-HEARING AND AGENDA SETTING

a) V-06-16, 727 S. Stough Street

Paul and Julie Constantino, homeowners, addressed the Board. Mr. Constantino explained they purchased the home in 2007, when they had two children, but now they have three. He explained that they want to add an additional bedroom to the attic story of the home. However, because of the slope of the lot and the zoning rules, a variance for maximum elevation is required. Mr. Constantino said that even with addition of this room, his

1 house is still lower than the one next door, because of the slope.

2 Mr. Dan Bryan, architect for the project, explained that after the addition,
3 the home is still 3.5' below the maximum height allowed, however, because
4 of the slope of the property the addition does not meet the maximum
5 elevation requirements. He said that the additional height added to the
6 third floor would not count toward floor area ratio (FAR), and the only
7 visible change to the building would be a 9' x 12' cupola.

8 Mr. Constantino added the cost of moving is prohibitive, and Mrs.
9 Constantino described the challenges of their current home.

10 Chairman Neiman commented the applicants have done a good job
11 addressing the 7 criteria for approval, but by the public hearing, the Board
12 would like to know the neighbors have been contacted and whether there is
13 any opposition.

14 Member Moberly clarified this is not a height issue, but an elevation issue.
15 The public hearing was set for the next scheduled meeting of the Zoning
16 Board.

17
18 **b) V-07-16, 100 S. Garfield (Hinsdale Middle School)**

19 Chairman Neiman introduced the item and said he understands the
20 application has been amended, and hopes the applicant will explain the
21 changes. He also clarified that although the renderings provided to the
22 Board include a parking deck, the parking deck is not before the Board at
23 this time. When the Village and school district come to terms on that
24 structure, a separate request might be submitted.

25 Representing District 181, and present this evening, were Superintendent
26 Dr. Don White, Attorney John Izzo, Architect Brian Kronewitter, and Civil
27 Engineer Paul Wiese.

28 Dr. White addressed the Board and explained that the revisions were made
29 in response to input from neighbors at a Community meeting. The changes
30 have been approved by the school board. He confirmed Chairman
31 Neiman's remarks regarding the parking deck.

32 Mr. Kronewitter walked the Board through the site plan and outlined the
33 changes, which are a deeper front yard setback and an increase in height
34 on the southeast wing to reduce the need for Third Street setback. The bus
35 drop-off area will not be on Garfield; the revised design maintains the
36 existing drop-off site on Third Street, and thereby eliminates the need for a
37 loading variance in the front yard. As a result of the redesigned third story,
38 the building is shifted two feet to the south, and eliminates the need for a
39 setback variance at the alley on Second Street.

40 Still required is two feet of rear yard setback relief on Washington Street,
41 FAR relief, and a parking variance for the front yard setback on Garfield
42 Street.

43 Chairman Neiman reminded the applicant that each of the seven criteria
44 necessary for approval will have to be met for each of the three variances
45 requested. He commented that he is glad to hear that the school is being
46 responsive to the concerns of their neighbors.

1 Member Alesia asked what the difference in FAR will be. Mr. Kronewitter
2 said 107,000 is allowed, and added that the existing building, including the
3 mobile units, is 112,000. He did not have the exact number, but stated it
4 will be appropriate for the 136,500 square foot building.

5 Ms. Sharon Starkston, a Third Street resident, addressed the Board and
6 stated that she owns three properties in the affected area. She thanked the
7 school board for all the neighbor meetings, but complained there was no
8 neighbor input during the design phase. She believes the bus drop off on
9 Third Street is a problem because it blocks driveways and there are buses
10 idling in the area. She said it is very busy during drop off times. She asked
11 the ZBA to consider the residential buffer zone very carefully, and believes
12 all activity should be oriented to the commercial area.

13 Member Moberly asked about water issues, and Mr. Wiese said all Village
14 ordinances would be met. Mr. Kronewitter reported the traffic study
15 indicated that the student drop-off area is most efficient where it currently
16 exists on Third Street.

17 The public hearing was set for the next scheduled meeting of the Zoning
18 Board.

19
20 **8. PUBLIC HEARINGS – None**

21
22 **9. NEW BUSINESS**

23
24 **10. OTHER BUSINESS**

25
26 **11. ADJOURNMENT**

27 With no further business before the Zoning Board of Appeals, Member Moberly
28 made a motion to **adjourn the meeting of the Zoning Board of Appeals of**
29 **December 21, 2016.** Member Giltner seconded the motion.

30
31 **AYES:** Members Moberly, Giltner, Alesia and Chairman Neiman

32 **NAYS:** None

33 **ABSTAIN:** None

34 **ABSENT:** Members Connelly, Engel and Podliska

35
36 Motion carried.

37
38 Chairman Neiman declared the meeting adjourned at 7:09 p.m.

39
40
41 _____
42 Christine M. Bruton
43 Village Clerk
44
45

Approved: _____

VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
January 18, 2017

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order Wednesday, January 18, 2017 at 6:34 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. ROLL CALL

Present: Members Gary Moberly, Keith Giltner, John Podliska and Chairman Bob Neiman

Absent: Members Marc Connelly, Kathryn Engel and Joseph Alesia

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

3. APPROVAL OF MINUTES

a) Regular meeting of October 19, 2016

Corrections were made to the draft minutes. Member Giltner moved to **approve the minutes of the regular meeting of October 19, 2016, as amended.** Member Podliska seconded the motion.

AYES: Members Moberly, Giltner, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly, Engel and Alesia

Motion carried.

b) Regular meeting of December 21, 2016

There were not enough eligible voting members present to approve; Chairman Neiman deferred this item to the next meeting of the Zoning Board of Appeals.

4. APPROVAL OF FINAL DECISION

a) V-05-16, 631 S. Garfield Street

There were not enough eligible voting members present to approve; however, corrections were noted for the draft document. Chairman Neiman deferred this item to the next meeting of the Zoning Board of Appeals.

1 **5. RECEIPT OF APPEARANCES** – All sworn in by the court reporter

2
3 **6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO**
4 **MAKE PUBLIC COMMENT OF A GENERAL NATURE** – None

5
6 **7. PRE-HEARING AND AGENDA SETTING**– None

7
8 **8. PUBLIC HEARINGS**

9 a) **V-06-16, 727 S. Stough Street**

10 Mr. Dan Bryan, architect for the homeowners, on behalf of the applicant,
11 informed the Board they have elected to postpone their hearing till next
12 month in hopes of more members.

13
14 b) **V-07-16, 100 S. Garfield* (Hinsdale Middle School)**

15 Dr. Don White, Superintendent of District 181, asked the Board if it would
16 be possible to reschedule their hearing prior to the next regularly scheduled
17 meeting. Chairman Neiman replied that every effort would be made to do
18 so. Dr. White conferred with other members of his team.

19 Dr. White asked if there would be a problem with respect to the Plan
20 Commission meeting scheduled for the following evening. Mr. McGinnis
21 explained the code has provisions for concurrent applications. There is
22 nothing to preclude the Plan Commission from hearing their case; their
23 approvals would be contingent on Zoning Board approval.

24 Dr. White informed the Board they have elected to postpone their hearing,
25 and respectfully request a special meeting be scheduled, if possible.

26 Chairman Neiman instructed Ms. Bruton to contact Board members to
27 determine a date for a special meeting.

28
29 **9. NEW BUSINESS** – None

30
31 **10. OTHER BUSINESS** – None

32
33 **11. ADJOURNMENT**

34 With no further business before the Zoning Board of Appeals, Member Moberly
35 made a motion to **adjourn the meeting of the Zoning Board of Appeals of**
36 **January 18, 2017.** Member Podliska seconded the motion.

37
38 **AYES:** Members Moberly, Giltner, Podliska and Chairman Neiman

39 **NAYS:** None

40 **ABSTAIN:** None

41 **ABSENT:** Members Connelly, Engel and Alesia

42
43 Motion carried.

44
45
46 Chairman Neiman declared the meeting adjourned at 6:46 p.m.

1
2
3
4
5
6
7

Christine M. Bruton
Village Clerk

Approved: _____

VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
February 15, 2017

1. **CALL TO ORDER**

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, February 15, 2017 at 6:34 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. **ROLL CALL**

Present: Members Gary Moberly, Joseph Alesia, John Podliska, Kathryn Engel and Chairman Bob Neiman

Absent: Members Marc Connelly and Keith Giltner

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

3. **APPROVAL OF MINUTES**

a) **Regular meeting of December 21, 2016**

There were not enough eligible voting members present to approve; Chairman Neiman deferred this item to the next meeting of the Zoning Board of Appeals.

b) **Regular meeting of January 18, 2017**

There were not enough eligible voting members present to approve; Chairman Neiman deferred this item to the next meeting of the Zoning Board of Appeals.

c) **Special meeting of February 2, 2017**

Corrections were made to the draft minutes. Member Moberly moved to **approve the minutes of the special meeting of February 2, 2017, as amended.** Member Engel seconded the motion.

AYES: Members Moberly, Alesia, Engel, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Giltner

Motion carried.

4. **APPROVAL OF FINAL DECISION**

a) **V-05-16, 631 S. Garfield Street**

There were not enough eligible voting members present to approve; Chairman Neiman deferred this item to the next meeting of the Zoning

Board of Appeals. Mr. McGinnis noted this does not adversely impact the resident.

b) **V-07-16, 100 S. Garfield – Rear Yard & Off-Street Parking**

Chairman Neiman introduced the item; Member Podliska stated he had notified Ms. Bruton of minor corrections to the draft document, which are included in the new draft.

Chairman Neiman explained that there was some confusion regarding the action of the Board on this item in terms of whether the Board had voted to close the discussion or approve the variation. The transcript clearly indicates the Board intended to approve, therefore, Chairman Neiman asked for a motion to clarify the record. Member Podliska suggested rather than a vote to clarify, a vote to approve might be more appropriate. Chairman Neiman agreed.

Member Podliska moved to **approve the variance for V-07-16, 100 S. Garfield – Rear Yard & Off-Street Parking**. Member Alesia seconded the motion.

AYES: Members Moberly, Alesia, Engel, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Giltner

Motion carried.

Member Podliska moved to **approve the Final Decision for V-07-16, 100 S. Garfield – Rear Yard & Off-Street Parking**. Member Engel seconded the motion.

AYES: Members Moberly, Alesia, Engel, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Giltner

Motion carried.

c) **V-07-16, 100 S. Garfield – Findings of Fact and Recommendation to the Village Board of Trustees – Floor Area Ratio (FAR)**

Chairman Neiman introduced the item and commented this is a recommendation only to the Village Board of Trustees. There were no changes to the draft document.

Member Engel moved to approve the **V-07-16, 100 S. Garfield – Findings of Fact and Recommendation to the Village Board of Trustees – Floor Area Ratio (FAR)**. Member Podliska seconded the motion.

AYES: Members Moberly, Alesia, Engel, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Giltner

Motion carried.

5. RECEIPT OF APPEARANCES – None

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

7. PRE-HEARING AND AGENDA SETTING

a) V-01-17, 26 East Sixth Street

Mr. John Bohnen addressed the Board representing Ms. Janice MacLeod, the owner and applicant for this variation. Mr. Bohnen distributed surveys of the property. Mr. Vincent Petrovsky owned and lived in the house on 26 E. Sixth Street, the west lot was vacant. When he passed away his heir, Ms. MacLeod, asked Mr. Bohnen to help dispose of the property. Mr. Bohnen explained she could get a greater yield if she could sell it as two lots. Her hardship is she would be penalized in excess of \$100,000 if she is unable to sell the lots individually. Discussion followed regarding how the yield was calculated.

Mr. Bohnen pointed out this property is two lots, each 50' x 132'. In the R4 district, there is a 7,000' square foot minimum. The owner needs a 400' square foot variance to sell the vacant lot as a single building lot because there has never been a house on the second lot. There is an offer on the property the sale of which is contingent on Zoning Board approval of this variation request.

The Board asked that for the public hearing neighbor approval be demonstrated, and that drainage issues be addressed. With respect to drainage issues, Mr. Bohnen stated no houses would be built without engineering plans; this is a function of the Village building department to follow through on codes.

It was stated that the existing house is probably a tear down, and possibly one home could be built on both lots.

Chairman Neiman set the public hearing for the next scheduled meeting of the Zoning Board of Appeals.

8. PUBLIC HEARINGS – None

9. NEW BUSINESS – None

10. OTHER BUSINESS – None

1
2 **11. ADJOURNMENT**

3 With no further business before the Zoning Board of Appeals, Member Engel
4 made a motion to **adjourn the meeting of the Zoning Board of Appeals of**
5 **February 15, 2017.** Member Alesia seconded the motion.
6

7 **AYES:** Members Moberly, Alesia, Engel, Podliska and Chairman Neiman

8 **NAYS:** None

9 **ABSTAIN:** None

10 **ABSENT:** Members Connelly and Giltner
11

12 Motion carried.
13

14
15 Chairman Neiman declared the meeting adjourned at 6:59 p.m.
16
17

18
19 _____
20 Christine M. Bruton
21 Village Clerk
22
23

Approved: _____



7a

MEMORANDUM

DATE: February 24, 2017
TO: Chairman Neiman & Members of the Zoning Board of Appeals
CC: Christine Bruton, Village Clerk
FROM: Robert McGinnis, MCP
Director of Community Development/Building commissioner
RE: **Zoning Variation – V-02-17; 724 N. York**

In this application for variation, the applicant requests relief from the following bulk zoning standards in order to construct a commercial building;

1. Section 5-110 (A)(1)(a) Building Height (35' vs. 30' or a 5' increase)
2. Section 5-110 (C)(1)(a) Front Yard Setback (15' vs. 25' or a decrease of 10')
3. Section 5-110 (D) Maximum Floor Area Ratio (.40 vs. .35 or a .05 increase)
4. Section 9-104(G)(2)(b) Parking in Required Yards (to locate a parking lot in the front yard)
5. Section 9-107(A)(1) Parking Lot Screening (to waive 10' buffer requirement)

It should be noted that the request for an increase in Floor Area Ratio (FAR) will need to move on to the Board of Trustees as a recommendation.

This property is located in the B1 Community Business District in the Village of Hinsdale and is located on the west side of York Road between Ogden Avenue and Fuller Road. The property has a frontage of approximately 137.57', an average depth of 222.82', and a total square footage of approximately 30,144.

cc: Kathleen Gargano, Village Manager
Zoning file V-02-17

Zoning Calendar No. ~~2016~~ ✓-02-17

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): Tony Kremer, DVM

ADDRESS OF SUBJECT PROPERTY: 724 N. York Road

TELEPHONE NUMBER(S): 815-436-8387

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

DATE OF APPLICATION: 11-30-2016

SECTION I

Please complete the following:

1. Owner. Name, address, and **telephone number** of owner: Trust Number L-1497
~~Chicago Title and Land Trust Company, as Successor Trustee to Harris Bank Hinsdale as Trustee under the provisions of a Trust Agreement dated January 14, 1987~~
2. Trustee Disclosure. In the case of a land trust the name, address, and **telephone number** of all trustees and beneficiaries of the trust: Dorothea A. Lorenzetti, Kimberly Brockman, Robert Brockman, 724 York Road, Hinsdale, IL
3. Applicant. Name, address, and **telephone number** of applicant, if different from owner, and applicant's interest in the subject property: Anthony Kremer, DVD 14411 IL-59 Plainfield 60544, 815-436-8387
4. Subject Property. Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) see attached
5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:
 - a. Attorney: Robert Aument, Daspin & Aument, LLP, 300 S Wacker Drive, Suite 2200 Chicago, IL 60606
 - b. Engineer: Bill Zalewski, Advantage Engineering
 - c. Architect: Michael Matthys, Linden Group Inc, 10100 Orland Parkway, Orland Park, IL 60467
 - 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. None
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:

1. B-1 Height variation, Sec 5-110:A.1.a: max height 30' - 2. B-1 Front yard setback, Sec 5-110:C.1.a: Min. front yard setback 25'

3. B-1 Max Floor Area Ratio, Sec 5-110: D. : F.A.R.:0.35 - 4. Parking set back variation Sec 9-104:G.2.b

5. Landscape buffers, Sec 9-107:a.1 Parking lot Screening

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.)

See the attache section II.3

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.)

See the attached Section II.4

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.)

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: _____

Signature of Owner: _____

Name of Applicant: _____

Signature of Applicant: _____

Date: _____

12-6-16

- b. Not Self-Created
 - i. The building location would be following previously defined building line along North York Road. The odd shaped lot that makes efficient parking difficult is not the result of any action by the petitioner.
- c. Denied Substantial Rights
 - i. The carrying out of the strict letter of the provision from which the variation is sought would deprive the owner of the subject property rights that were previously afforded to the site development with the existing building on the site as well as the established setback of adjacent properties.
- d. Not Merely Special Privilege
 - i. The variation in setback is not a request for special privilege but a request for consideration to allow the petitioner to enjoy the rights that are currently afforded to the subject property and adjacent property.
- e. Code and Plan Purposes
 - i. The variation would not result in a development that would not be in harmony with the purpose of this code or the intent of the official comprehensive plan because the variation requested is already afforded to the existing building and to adjacent properties.
- f. Essential Character of the Area
 - i. The variation would not be materially detrimental, and would not increase congestion on public streets, would not increase danger of flood, would not impact public utilities, and would not endanger the public health of safety.
- g. No other Remedy
 - i. The variation allows the site development to meet the off street parking requirement. Due to the shape of the lot without this variation it would not be possible to meet the parking requirement.

3. The applicant is requesting that the maximum F.A.R. be increased from .35 to .40. This increase would be under the Max. F.A.R. of .50 in the surrounding O-2 District which surrounds the site on all sides.

- a. Unique Physical Condition
 - i. The site is a standalone B-1 surrounded by an O-2 district. It was previously rezoned to allow for a particular desired use that was not permitted in the O-2 district. The surrounding O-2 District has a F.A.R. of .50 permitted by the zoning code. It is reasonable that the proposed site be held to a similar guideline to that of the adjacent property.
- b. Not Self-Created
 - i. The site was rezoned by the previous property owner and was not self-created by the petitioner.
- c. Denied Substantial Rights
 - i. The carrying out of the strict letter of the provision from which the variation is sought would deprive the owner of the subject property of substantial rights

commonly enjoyed by the owners of other adjacent lots that remain zoned as O-2 which allows for a maximum F.A.R. of .50.

- d. Not Merely Special Privilege
 - i. The variation in F.A.R. is not a request for special privilege but a consideration to allow the petitioner to enjoy the rights that are afforded to the adjacent properties in the O-2 district with a maximum F.A.R of .50.
- e. Code and Plan Purposes
 - i. The variation would not result in a development that would not be in harmony with the purpose of this code or the intent of the official comprehensive plan because the variation requested is already afforded to adjacent properties in the O-2 district.
- f. Essential Character of the Area
 - i. The variation would not be materially detrimental, and would not increase congestion on public streets, would not increase danger of flood, would not impact public utilities, and would not endanger the public health or safety.
- g. No other Remedy
 - i. Without this variation the petitioner would have to reduce the building size by 25%.

4. The applicant is requesting that the parking lot setback in the front yard be reduced from 25' to 15' to match building setback variation.

- a. Unique Physical Condition
 - i. The front yard setback variation that is being requested will match the existing building setback to be redeveloped. The applicant is requesting that the variation be granted to allow parking to be maximized which is difficult due to a very odd shaped property configuration. This unique shape makes it difficult to obtain the required parking for the proposed development and use.
- b. Not Self-Created
 - i. The parking location would be following previously defined building line along North York Road. The odd shaped lot that makes efficient parking difficult is not the result of any action by the petitioner.
- c. Denied Substantial Rights
 - i. The carrying out of the strict letter of the provision from which the variation is sought would deprive the owner of the subject property rights that were previously afforded to the site development with the existing building on the site as well as the established setback of adjacent properties.
- d. Not Merely Special Privilege
 - i. The variation in setback is not a request for special privilege but a request for consideration to allow the petitioner to enjoy the rights that are currently afforded to the subject property and adjacent property.

- e. Code and Plan Purposes
 - i. The variation would not result in a development that would not be in harmony with the purpose of this code or the intent of the official comprehensive plan because the variation requested is already afforded to the existing building and to adjacent properties.
- f. Essential Character of the Area
 - i. The variation would not be materially detrimental, and would not increase congestion on public streets, would not increase danger of flood, would not impact public utilities, and would not endanger the public health or safety.
- g. No other Remedy
 - i. The variation allows the site development to meet the off street parking requirement. Due to the shape of the lot without this variation it would not be possible to meet the parking requirement.

5. The applicant is requesting that the required 10' landscape buffer be removed to accommodate the odd shape lot and allow for a double loaded parking isle to run to the back of the property.

- a. Unique Physical Condition
 - i. The applicant is requesting that the Landscape buffer variation be granted to allow parking to be maximized which is difficult due to a very odd shaped property configuration. This unique shape makes it difficult to obtain the required parking for the proposed development and use.
- b. Not Self-Created
 - i. The odd shaped lot that makes efficient parking difficult is not the result of any action by the petitioner.
- c. Denied Substantial Rights
 - i. The carrying out of the strict letter of the provision from which the variation is sought would deprive the petitioner of the ability to provide adequate parking.
- d. Not Merely Special Privilege
 - i. The variation in Landscape buffer is not a request for special privilege but a request for consideration due to the odd shaped lot.
- e. Code and Plan Purposes
 - i. The variation would not result in a development that would not be in harmony with the purpose of this code or the intent of the official comprehensive plan because the variation requested is already afforded to the existing building and to adjacent properties.
- f. Essential Character of the Area
 - i. The variation would not be materially detrimental, and would not increase congestion on public streets, would not increase danger of flood, would not impact public utilities, and would not endanger the public health or safety.
- g. No other Remedy

- i. The variation allows the site development to meet the off street parking requirement. Due to the shape of the lot without this variation it would not be possible to meet the parking requirement.

Hinsdale Animal Hospital (# 101-15)

Property Owners within 250 ft of site (724 N York Rd – Hinsdale, IL 60521):

| <u>PIN</u> | <u>Address</u> | <u>Owner</u> |
|---------------|-----------------|--|
| 09 01 202 002 | 110 Ogden Ave | Nicole Zreczny Trust 43 Crescent Dr - Glencoe, IL 60022 |
| 09 01 202 003 | 120 E Ogden Ave | 120 E Ogden Ave LLC 21 Spinning Wheel – Hinsdale, IL 60521 |
| 09 01 202 004 | 120 E Ogden Ave | 120 E Ogden Ave LLC 21 Spinning Wheel – Hinsdale, IL 60521 |
| 09 01 202 012 | Fuller Rd | 120 E Ogden Ave LLC 21 Spinning Wheel – Hinsdale, IL 60521 |
| 09 01 202 013 | 120 E Ogden Ave | 120 E Ogden Ave LLC 21 Spinning Wheel - Hinsdale, IL 60521 |
| 02 01 202 011 | 117 E Fuller Rd | Michael & Alice Kuhn 117 E Fuller Rd – Hinsdale, IL 60521 |
| 09 01 202 015 | 806 N York Rd | Cassie Yen 806 N York Rd - Hinsdale, IL 60521 |
| 09 01 202 016 | 736 York Rd | TMS Health LLC 3161 Burlington Ave – Lisle, IL 60004 |
| 09 01 202 018 | 218 Fuller Rd | Robert Brockman 724 N York Rd – Hinsdale, IL 60521 |
| 09 01 202 019 | 718 N York Rd | Carlo Enterprises PO Box 607 – Hinsdale, IL 60521 |
| 09 01 202 020 | 710 N York Rd | HMH LP 710 N York Rd – Hinsdale, IL 60521 |
| 09 01 202 021 | 150 E Ogden Ave | 150 E Ogden Ave LLC – 17W474 Earl Ct – Darien, IL 60561 |
| 09 01 202 022 | 133 Fuller Rd | Robert Brockman 724 N York Rd – Hinsdale, IL 60521 |
| 09 01 202 023 | 133 Fuller Rd | Joan W Mancini 133 Fuller Rd - Hinsdale, IL 60521 |
| 09 01 209 007 | 777 N York Rd | Hathaway Equities LLC 830 S Buffalo Grove Rd-Buf Grv 60089 |
| 09 01 209 010 | 777 N York Rd | Hathaway Equities LLC 830 S Buffalo Grove Rd-Buf Grv 60089 |
| 09 01 209 011 | 777 N York Rd | Hathaway Equities LLC 830 S Buffalo Grove Rd-Buf Grv 60089 |
| 09 01 209 031 | 777 N York Rd | Hathaway Equities LLC 830 S Buffalo Grove Rd-Buf Grv 60089 |
| 09 01 209 032 | 777 N York Rd | Hathaway Equities LLC 830 S Buffalo Grove Rd-Buf Grv 60089 |
| 09 01 209 020 | 701 N York Rd | Ruth H Larsen 701 N York Rd – Hinsdale, IL 60521 |
| 09 01 209 021 | 207 Fuller Rd | James & FJ Paracsil 536 N Thompson Rd-Apopka, FL 32712 |
| 09 01 209 022 | 211 Fuller Rd | Jacob & Suja Matthew 607 Walker Rd – Hinsdale, IL 60521 |

724 York Rd - Hinsdale

Find address or place

Q

OAKWOOD TER

34

34

34

34

34

34

FULLER RD

FULLER RD

Fullerburg Cemetery

203

202

209

201

200-002

201-003

201-004

201-006

201-011

09-01-202-01

09-01-202-01

09-01-202-01

09-01-202-01

09-01-202-01

09-01-202-01

09-01-202-01

09-01-202-01

09-01-202-01

09-01-202-01

09-01-202-01

203-003 003 ✓
203-004 004 ✓
203-005 005 ✓
203-006 006 ✓
203-007 007 ✓
203-008 008 ✓
203-009 009 ✓
203-010 010 ✓
203-011 011 ✓
203-012 012 ✓
203-013 013 ✓
203-014 014 ✓
203-015 015 ✓
203-016 016 ✓
203-017 017 ✓
203-018 018 ✓
203-019 019 ✓
203-020 020 ✓
203-021 021 ✓
203-022 022 ✓
203-023 023 ✓
203-024 024 ✓
203-025 025 ✓
203-026 026 ✓
203-027 027 ✓
203-028 028 ✓
203-029 029 ✓
203-030 030 ✓
203-031 031 ✓
203-032 032 ✓
203-033 033 ✓
203-034 034 ✓
203-035 035 ✓
203-036 036 ✓
203-037 037 ✓
203-038 038 ✓
203-039 039 ✓
203-040 040 ✓
203-041 041 ✓
203-042 042 ✓
203-043 043 ✓
203-044 044 ✓
203-045 045 ✓
203-046 046 ✓
203-047 047 ✓
203-048 048 ✓
203-049 049 ✓
203-050 050 ✓
203-051 051 ✓
203-052 052 ✓
203-053 053 ✓
203-054 054 ✓
203-055 055 ✓
203-056 056 ✓
203-057 057 ✓
203-058 058 ✓
203-059 059 ✓
203-060 060 ✓
203-061 061 ✓
203-062 062 ✓
203-063 063 ✓
203-064 064 ✓
203-065 065 ✓
203-066 066 ✓
203-067 067 ✓
203-068 068 ✓
203-069 069 ✓
203-070 070 ✓
203-071 071 ✓
203-072 072 ✓
203-073 073 ✓
203-074 074 ✓
203-075 075 ✓
203-076 076 ✓
203-077 077 ✓
203-078 078 ✓
203-079 079 ✓
203-080 080 ✓
203-081 081 ✓
203-082 082 ✓
203-083 083 ✓
203-084 084 ✓
203-085 085 ✓
203-086 086 ✓
203-087 087 ✓
203-088 088 ✓
203-089 089 ✓
203-090 090 ✓
203-091 091 ✓
203-092 092 ✓
203-093 093 ✓
203-094 094 ✓
203-095 095 ✓
203-096 096 ✓
203-097 097 ✓
203-098 098 ✓
203-099 099 ✓
203-100 100 ✓

209-001 ✓
209-002 ✓
209-003 ✓
209-004 ✓
209-005 ✓
209-006 ✓
209-007 ✓
209-008 ✓
209-009 ✓
209-010 ✓
209-011 ✓
209-012 ✓
209-013 ✓
209-014 ✓
209-015 ✓
209-016 ✓
209-017 ✓
209-018 ✓
209-019 ✓
209-020 ✓
209-021 ✓
209-022 ✓
209-023 ✓
209-024 ✓
209-025 ✓
209-026 ✓
209-027 ✓
209-028 ✓
209-029 ✓
209-030 ✓
209-031 ✓
209-032 ✓
209-033 ✓
209-034 ✓
209-035 ✓
209-036 ✓
209-037 ✓
209-038 ✓
209-039 ✓
209-040 ✓
209-041 ✓
209-042 ✓
209-043 ✓
209-044 ✓
209-045 ✓
209-046 ✓
209-047 ✓
209-048 ✓
209-049 ✓
209-050 ✓
209-051 ✓
209-052 ✓
209-053 ✓
209-054 ✓
209-055 ✓
209-056 ✓
209-057 ✓
209-058 ✓
209-059 ✓
209-060 ✓
209-061 ✓
209-062 ✓
209-063 ✓
209-064 ✓
209-065 ✓
209-066 ✓
209-067 ✓
209-068 ✓
209-069 ✓
209-070 ✓
209-071 ✓
209-072 ✓
209-073 ✓
209-074 ✓
209-075 ✓
209-076 ✓
209-077 ✓
209-078 ✓
209-079 ✓
209-080 ✓
209-081 ✓
209-082 ✓
209-083 ✓
209-084 ✓
209-085 ✓
209-086 ✓
209-087 ✓
209-088 ✓
209-089 ✓
209-090 ✓
209-091 ✓
209-092 ✓
209-093 ✓
209-094 ✓
209-095 ✓
209-096 ✓
209-097 ✓
209-098 ✓
209-099 ✓
209-100 ✓

APPLICATION FOR DEVELOPMENT APPROVAL AND ZONING RELIEF;

LAND USE VARIATION, AND ZONING VARIATION

To: Chan Yu
Village Planner
Department of Community Development
Village of Hinsdale
19 East Chicago Avenue
Hinsdale, IL 60521

Dr. Tony Kremer submits this Application and its supporting documents to petition the Corporate Authorities for approval of certain zoning relief in order to construct a 12,000 sq.ft. new building with a Preliminary Plan, Site Plan, and Building Elevations (attached hereto) on the below described property. Based on the regulations set forth in the Hinsdale Zoning Code, the requested zoning relief will have to be considered by the Plan Commission and the Village Board as noted below.

Applicant: Tony Kremer, DVM
Hinsdale Animal Hospital
724 North York Road
Hinsdale, IL

I. **Subject Property Address:** 724 North York Road

Legal Description: PARCEL 1: LOT 1 IN CHARLES SHULZE RESUBDIVISION OF PARTS OF LOT 7 AND 8 IN BLOCK 3 OF THE PLAT OF FULLERSBURGH, IN SECTION 1, TOWNSHIP 38 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1956 AS DOCUMENT 811735, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2: LOT 2 IN BROCKMAN'S RESUBDIVISION OF LOT 5 IN RUCHTY'S RESUBDIVISION OF LOTS 2 AND 3 IN BLOCK 3 OF THE PLAT OF FULLERSBURGH AND PART OF LOT 1 IN BLOCK 3 IN THE PLAT OF FULLERSBURGH, IN SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING THE PLAT OF BROCKMAN'S RESUBDIVISION RECORDED DECEMBER 18, 1957 AS DOCUMENT 866181, IN DU PAGE COUNTY, ILLINOIS

PARCEL 3: THE NORTHERLY 60 FEET (AS MEASURED ALONG THE EAST LINE AND THE WEST LINES THEREOF) OF THAT PART OF LOTS 7 AND 8 IN BLOCK 3 IN FULLERSBURGH, DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON STAKE ON THE SOUTH LINE OF SAID LOT 8, 68.5 FEET EASTERLY FROM THE SOUTHWEST CORNER THEREOF; THENCE NORTHERLY ALONG A STRAIGHT LINE 229.7 FEET TO AN IRON STAKE ON THE NORTH LINE OF SAID LOT 7, 65.5 FEET EAST OF THE NORTHWEST CORNER

THEREOF; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 7, 65.5 FEET TO AN IRON STAKE; THENCE SOUTHERLY ALONG A STRAIGHT LINE, 150.9 FEET TO AN IRON STAKE THAT IS 131.50 FEET EAST OF THE WEST LINE OF SAID LOT 8; THENCE SOUTHERLY 79 FEET TO AN IRON STAKE ON THE SOUTH LINE OF SAID LOT 8 THAT IS 137 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 8, 68.5 FEET TO THE PLACE OF BEGINNING; IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1852 AS DOCUMENT 6172, AND RE-RECORDED APRIL 9, 1929 AS DOCUMENT 277264, IN DU PAGE COUNTY, ILLINOIS.

P.I.N.: 0901202017
0901202018
0901202022

Lot Size: 30,144 SQ.FT.

Current Zoning District: B-1

Zoning Relief Requested:

1. Request for Text Amendment to add Animal Hospital and Animal Boarding to B-1
2. Request for Special Use to construct and operate an Animal Hospital and Animal Boarding Facility.
3. Request for Variation of Height Requirements from 30'-0" to 35'-0" for the tower entrance area. See elevations.
4. Request for Variation of front yard setback requirements from 25'-0" to 15'-0". This would match the existing building setback.
5. Request for Variation of F.A.R. from 0.35 to 0.40. Existing building is 14,000 s.f. and over the F.A.R. The new building is only 12,000 s.f.
6. Request for Variation of front yard parking setback requirements from 25'-0" to 15'-0" to allow the building to reach necessary parking space requirements.
7. Request for Variation of the Landscape buffer requirement for parking from 10'-0" to 0'-0" the building to reach necessary parking aisles and space requirements.

Introduction:

Thanks for taking the time to evaluate our proposal and request for moving our Hinsdale Animal Hospital to a new location at 724 N. York Road in Hinsdale. Our existing hospital is located at 218 W Ogden Ave, in Hinsdale and has been located in the community since 1950. Since purchasing the Animal Hospital practice we have enjoyed a steady growth that has led to us outgrowing our existing home. The new facility we are planning on N. York Road will accommodate our current practice and provide room for growth into the future while providing an updated. This move will allow us to update our facilities and provide state of the art animal care services to the Hinsdale Community including, General veterinary services, specialized surgeries, physical therapy, training, adoption, grooming, and luxury boarding.

We are requesting a Special Use for the proposed site at 724 N. York Avenue to allow for the Animal Hospital and Commercial Kennel use. We are also requesting variation from the B-1 Zoning regulations for 1. Building Set Back, 2. Building Height, 3. Floor area ratio, 4. Parking set back, and 5. Landscape buffer requirement. These variations are being requested to allow our proposed building to be built at the current existing building setbacks which relate to the adjacent buildings. Height and F.A.R. variation are being requested to relate zoning site restrictions in the surrounding O-2 district. Parking setback variations are being requested to accommodate required off street parking requirements with the odd shape property boundary.

The proposed animal hospital will be constructed of brick, and stone. Punched window openings will be accented with stone elements. Brick detailing will include traditional detailing such as soldier and row lock coursing. A tower feature at the entry will provide for architectural interest of the North York Road facing elevation. The first floor plan will have a generous lobby with 10 exam rooms. Operational areas will include a small treatment area, a pharmacy, animal care areas and boarding for 75 dogs. The second floor will include a large treatment area complete with 2 surgical suites, ICU area, dental treatment area, isolation rooms, animal wards, staff support areas, grooming, a large training/play room, and a luxury boarding room. The proposed hours will be Monday – Friday 7 am to 8 pm, Saturday 7 am to 3 pm, and Sunday 9 am to 1 pm.

Thank you for consideration of the above request.

Sincerely, Dr. Anthony Kremer DrTony.com

I. Text Amendment

1. The consistency of the proposed amendment with the purpose of this Code.

The code establishes specific uses within zoning districts as special uses that require approval to be developed. The requested animal hospital and commercial kennel use is a professional office service use that is compatible with permitted uses in the B-1 district and the surrounding O-2 district and therefore should be considered as a special use base on its suitability to the set parameters of the locality.

2. The existing uses and zoning classifications for the properties in the vicinity of the subject property.

The existing zoning classification is B-1 and is surrounded by O-2. Current uses on the property include a commercial dry cleaner, beauty salon, and residential. Surrounding O-2 businesses are offices uses.

3. The trend of development in the vicinity of the subject property, including changes, if any, such trend since the subject property was placed in its present zoning classification.

The trend of development in the surrounding O-2 district appears to be retail/restaurant/automotive along Ogden and office/medical office south of Ogden. The proposed animal hospital/commercial kennel use at 724 N York Road does not have a negative impact on these trends. The proposed improvements to the building as proposed

will increase the tax revenue and provide a needed update to an existing building on N.York Ave offering a new architectural statement building that is accessible and code compliant.

4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it.

The value of the site is diminished by the existing zoning because the B-1 district does not identify animal hospital and commercial kennel as a special use. If these uses are permitted as a special use in the B-1 district the current contract purchaser can redeveloped the property as proposed.

5. The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare.

The Diminution in value is not offset by an increase in the public health, safety, and welfare. Hinsdale Animal Hospital has operated on Ogden Avenue in Hinsdale since 1950. It has a long history of providing a high quality of animal care to the residents of Hinsdale with public convenience that contributes to the general welfare of the neighborhood and community.

6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.

The use and enjoyment of adjacent properties would not be affected by the proposed amendment to allow the animal hospital / commercial kennel use as proposed.

7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment.

The adjacent properties value would not be affected negatively by the proposed amendment. It will allow the site to be redeveloped and will provide the replacement of and aging building with a new updated code compliant building.

8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.

The proposed Animal Hospital, Commercial Kennel use will not interfere with surrounding development. The perimeter of the building is being proposed within the foot print of the existing building that will be removed. The proposed architecture and 2 story building height relates to the surrounding buildings.

9. The suitability of the subject property for uses permitted or permissible under its present zoning classification.

The site is suitable for uses permitted under its present zoning classification.

10. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.

A traffic study was prepared for the proposed development that reviewed ingress and egress on York Road and concluded that the proposed ingress/egress was adequate based on projected traffic counts.

11. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under the present zoning classification. 12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.

Initial investigation has indicated that there are adequate utilities available to accommodate the proposed uses. Available site utilities have been assumed to be adequate to service the proposed building. If this is not the case applicant will provide adequately for such services.

12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.

The property is not currently vacant.

13. The community need for the proposed amendment and for the uses and development it would allow.

The proposed amendment for the proposed uses will provide a relocation site for a long standing business in the Village of Hinsdale to relocate off of prominent real estate on Ogden Avenue. Hinsdale Animal Hospital has operated in and served residents of Hinsdale since 1950 and has been looking to relocate into a new building in the area for several years. This relocation will allow Hinsdale Animal Hospital to offer the best animal care in the area with new state of the art facilities.

14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area.

NA

II. SPECIAL USE PERMIT CRITERIA

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

The proposed Animal Hospital, Commercial Kennel use, is a professional office service business that is harmonious with the B-1 Community Business District and the surrounding O-2 Limited office district. It provides essential needs to pet owners within the village of Hinsdale and offers the convenience of these services in close proximity to permitted B-1 and O-2 uses.

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

The proposed Animal Hospital, Commercial Kennel use will not have a substantial or undue adverse effect upon adjacent property. The character of the area will be enhanced with a new building built of masonry and stone based on current codes. Animal boarding services will be operated from within the building which will include sound proofing measures that maintain sound control within village code standards. An indoor play room will be provided to exercise boarded animals inside. Outdoor pet are will always have supervision when in use. Services provided within the facility will enhance pet care in the Village of Hinsdale with state of the art facilities and care. The facility will also be an adoption center to aid the local humane society in find homes for pet population.

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

The proposed Animal Hospital, Commercial Kennel use will not interfere with surrounding development. The perimeter of the building is being proposed within the foot print of the existing building that will be removed. The proposed architecture and 2 story building height relates to the surrounding buildings.

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

A traffic study was conducted that concluded existing road way access was suitable for the intended use and traffic. Available site utilities have been assumed to be adequate to service the proposed building. If this is not the case applicant will provide adequately for such services. The proposed building does not increase the need for police and fire protection.

5. *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

A traffic report has been provided based on the proposed use to illustrate that traffic projections are within 1% of the existing use.

6. *No Destruction of Significant Features.* The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

The proposed new building will offer a big improvement to the character on York Avenue with a new masonry and stone building. The existing building and site development does not include anything of significant importance.

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

The proposed use and development is requesting variations from other standards of this code as described in the project overview. Other than those mentioned variations this project will comply with all additional standards imposed on it by the particular provision of this code authorizing Animal Hospital and Commercial Kennel.

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

Any special standards that exist or that are conditions of this approved special use will become strict procedures of our operational protocol or will be implemented into the design of the project.

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

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

Hinsdale Animal Hospital has operated on Ogden Avenue in Hinsdale since 1950. It has a long history of providing a high quality of animal care to the residents of Hinsdale with public convenience that contributes to the general welfare of the neighborhood and community. The hospital has been in search of a site to update their facility for several years and feels that the N York Avenue site is a good fit located in a B-1 zoning district and surrounded by an O-2 zoning district

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

The Hinsdale Animal Hospital has been in search of an appropriate site for their relocation for several years. The North York Road site offers an appropriate site for the village and the user.

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

The following represents measures taken to minimize the possible adverse effect of the proposed use:

- The Hinsdale Animal Hospital will be designed with sound proofing measures within the boarding areas to provide sound absorption within the building envelope.**
- The boarding areas will be constructed of full masonry construction consisting of 8" concrete block, building insulation, and veneer brick and stone. This offers optimum sound control to the exterior of the building.**
- The floor plan will include an indoor exercise area.**

III. VARIATION STANDARDS

1. A height variation is being requested to allow the entrance tower architectural feature to exceed the maximum 30'-0" and allow a height of 35'-0" for this element only as depicted in the proposed elevations.

Unique Physical Condition:

The site is a standalone B-1 surrounded by an O-2 district. It was previously rezoned to allow for a particular desired use that was not permitted in the O-2 district. The surrounding O-2 District has a maximum height of 40' permitted by the zoning code. It is reasonable that the proposed site be held to a similar guideline to that of the adjacent property.

Not Self-Created:

The site was rezoned by the previous property owner and was not self-created by the petitioner.

Denied Substantial Rights:

The carrying out of the strict letter of the provision from which the variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by the owners of other adjacent lots that remain zoned as O-2 which allows for heights up to 40 feet.

Not Merely Special Privilege:

The variation in height is not a request for special privilege but a consideration to allow the petitioner to enjoy the rights that are afforded to the adjacent properties in the O-2 district with a maximum height standard of 40'.

Code and Plan Purposes:

The variation would not result in a development that would not be in harmony with the purpose of this code or the intent of the official comprehensive plan because the variation requested is already afforded to adjacent properties in the O-2 district.

Essential Character of the Area:

The variation would not be materially detrimental, and would not increase congestion on public streets, would not increase danger of flood, would not impact public utilities, and would not endanger the public health of safety.

No other Remedy

The variation allows a character element to the architecture with a tower like form defining the entrance. Without this variation the building would have to carry the same parapet height around the perimeter of the building which would negatively impact the architectural interest.

2. A front yard setback variation is being requested to reduce the required front setback from 25' to 15'-0". The existing building is currently located within the setback 15.38' from the front property line.

Unique Physical Condition

The front yard setback variation that is being requested will match the existing building setback to be redeveloped. The applicant is requesting that the variation be granted to allow parking to be maximized to the rear of the property that is difficult due to a very odd shaped property configuration. This unique shape makes it difficult to obtain the required parking for the proposed development and use.

Not Self-Created

The building location would be following previously defined building line along North York Road. The odd shaped lot that makes efficient parking difficult is not the result of any action by the petitioner.

Denied Substantial Rights

The carrying out of the strict letter of the provision from which the variation is sought would deprive the owner of the subject property rights that were previously afforded to the site development with the existing building on the site as well as the established setback of adjacent properties.

Not Merely Special Privilege

The variation in setback is not a request for special privilege but a request for consideration to allow the petitioner to enjoy the rights that are currently afforded to the subject property and adjacent property.

Code and Plan Purposes

The variation would not result in a development that would not be in harmony with the purpose of this code or the intent of the official comprehensive plan because the variation requested is already afforded to the existing building and to adjacent properties.

Essential Character of the Area

The variation would not be materially detrimental, and would not increase congestion on public streets, would not increase danger of flood, would not impact public utilities, and would not endanger the public health or safety.

No other Remedy

The variation allows the site development to meet the off street parking requirement. Due to the shape of the lot without this variation it would not be possible to meet the parking requirement.

3. The applicant is requesting that the maximum F.A.R. be increased from .35 to .40. This increase would be under the Max. F.A.R. of .50 in the surrounding O-2 District which surrounds the site on all sides.

Unique Physical Condition

The site is a standalone B-1 surrounded by an O-2 district. It was previously rezoned to allow for a particular desired use that was not permitted in the O-2 district. The surrounding O-2 District has a F.A.R. of .50 permitted by the zoning code. It is reasonable that the proposed site be held to a similar guideline to that of the adjacent property.

Not Self-Created

The site was rezoned by the previous property owner and was not self-created by the petitioner.

Denied Substantial Rights

The carrying out of the strict letter of the provision from which the variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by the owners of other adjacent lots that remain zoned as O-2 which allows for a maximum F.A.R. of .50.

Not Merely Special Privilege

The variation in F.A.R. is not a request for special privilege but a consideration to allow the petitioner to enjoy the rights that are afforded to the adjacent properties in the O-2 district with a maximum F.A.R. of .50.

Code and Plan Purposes

The variation would not result in a development that would not be in harmony with the purpose of this code or the intent of the official comprehensive plan because the variation requested is already afforded to adjacent properties in the O-2 district.

Essential Character of the Area

The variation would not be materially detrimental, and would not increase congestion on public streets, would not increase danger of flood, would not impact public utilities, and would not endanger the public health of safety.

No other Remedy

Without this variation the petitioner would have to reduce the building size by 25%.

4. The applicant is requesting that the parking lot setback in the front yard be reduced from 25' to 15' to match building setback variation.

Unique Physical Condition

The front yard setback variation that is being requested will match the existing building setback to be redeveloped. The applicant is requesting that the variation be granted to allow parking to be maximized which is difficult due to a very odd shaped property configuration. This unique shape makes it difficult to obtain the required parking for the proposed development and use.

Not Self-Created

The parking location would be following previously defined building line along North York Road. The odd shaped lot that makes efficient parking difficult is not the result of any action by the petitioner.

Denied Substantial Rights

The carrying out of the strict letter of the provision from which the variation is sought would deprive the owner of the subject property rights that were previously afforded to the site development with the existing building on the site as well as the established setback of adjacent properties.

Not Merely Special Privilege

The variation in setback is not a request for special privilege but a request for consideration to allow the petitioner to enjoy the rights that are currently afforded to the subject property and adjacent property.

Code and Plan Purposes

The variation would not result in a development that would not be in harmony with the purpose of this code or the intent of the official comprehensive plan because the variation requested is already afforded to the existing building and to adjacent properties.

Essential Character of the Area

The variation would not be materially detrimental, and would not increase congestion on public streets, would not increase danger of flood, would not impact public utilities, and would not endanger the public health of safety.

No other Remedy

The variation allows the site development to meet the off street parking requirement. Due to the shape of the lot without this variation it would not be possible to meet the parking requirement.

5. The applicant is requesting that the required 10' landscape buffer be removed to accommodate the odd shape lot and allow for a double loaded parking isle to run to the back of the property.

Unique Physical Condition

The applicant is requesting that the Landscape buffer variation be granted to allow parking to be maximized which is difficult due to a very odd shaped property configuration. This unique shape makes it difficult to obtain the required parking for the proposed development and use.

Not Self-Created

The odd shaped lot that makes efficient parking difficult is not the result of any action by the petitioner.

Denied Substantial Rights

The carrying out of the strict letter of the provision from which the variation is sought would deprive the petitioner of the ability to provide adequate parking.

Not Merely Special Privilege

The variation in Landscape buffer is not a request for special privilege but a request for consideration due to the odd shaped lot.

Code and Plan Purposes

The variation would not result in a development that would not be in harmony with the purpose of this code or the intent of the official comprehensive plan because the variation requested is already afforded to the existing building and to adjacent properties.

Essential Character of the Area

The variation would not be materially detrimental, and would not increase congestion on public streets, would not increase danger of flood, would not impact public utilities, and would not endanger the public health of safety.

No other Remedy

The variation allows the site development to meet the off street parking requirement. Due to the shape of the lot without this variation it would not be possible to meet the parking requirement.

IV. EXTERIOR APPEARANCE AND SITE PLAN REVIEW CRITERIA

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades.

Site landscaping will be improved to meet code requirements.

2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures.

The building will be constructed of high quality materials including Masonry, Stone, and Glass. Stone detailing will include stone arches. Facade will include decorative lighting.

3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood.

The building is designed is influenced by traditional architecture with brick and stone detailing consistent with the overlay district. The entrance is accented with a tower element that adds architectural character.

4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible.

The site development will be maximized in order to meet parking requirements. Existing street parking will be removed and replaced with parkway material per the zoning code. Additional landscape improvements will enhance the front yard.

5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings.

The proposed 2 story building will replace an existing 2 story building. The proposed height will be 30' except at the entrance feature where the height is proposed at 35' high. The surrounding O-2 District allows for buildings up to 3 stories and 40' tall.

6. *Proportion of front façade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.

The 2 story front facade of the proposed building is visually compatible with its surroundings.

7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.

Window width and height are compatible with buildings in the area.

8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.

The building has a rhythm of punched openings in brick which is consistent with surrounding buildings and consistent with the desired overlay district style guidelines.

9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.

The building is proposed in the same location as the existing building and will not alter the existing building spacing significantly.

10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.

The entrance is pronounced with a higher architectural element that is oriented toward the entrance drive. This creates a desirable rhythm along the public way, providing open space adjacent to the entrance feature.

11. *Relationship of materials and texture.* The relationship of the materials and texture of the façade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related.

The building materials are predominantly brick and stone that include brick details such as soldier coursing, rowlock coursing, and various stone accents including stone arches. These materials create a texture that is visually compatible with buildings in the vicinity and in Hinsdale Mill overlay district.

12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related.

The building is being proposed with a flat roof. There are buildings in the vicinity that have flat roofs.

13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related.

N.A.

14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related.

See submitted elevations.

15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character.

The front elevation relates to N. York Road.

16. *Special consideration for existing buildings.* For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing.

N.A.

By: _____
Anthony Kremer, DVM

Date: _____, 2016.

**VILLAGE OF HINSDALE
PROPERTY OWNER'S AUTHORIZATION
FOR PC / ZBA / ARC**

Date: December 6, 2016

I, Dorothea Lorenzetti, Kimberly & Robert Brockman – Trust, Owner of the Property
(Property Owner: Chicago Title & Land Trust Co, as Successor Trustee to Harris Bank Hinsdale as Trustee under the provisions of a Trust Agreement dated January 14, 1987 and known as Trust Number L-1497, Dorothea A Lorenzetti, Kimberly Brockman and Robert Brockman, and the address of the property is commonly known as 724 York Rd, 218 Fuller Rd & 133 Fuller Rd, Hinsdale, IL 60521)

located at: 724 N York Road – Hinsdale, IL 60521, do hereby authorize

Tony Kremer, DVM (Contract Purchaser); Jason Sanderson (General Contractor), Michael J Matthys (Architect)

_____ to represent me in the following

Authorized Agent

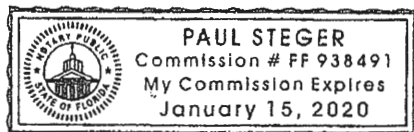
PC / ZBA / ARC matter(s):

1. Request for **Text Amendment** to add Animal Hospital and Commercial Kennel as a special use in the B-1 District.
2. Request for **Special Use** to construct and operate an **Animal Hospital and Commercial Kennel** at 724 N York Rd.
3. A height variation is being requested to allow the entrance tower architectural feature to exceed the maximum 30'-0" and allow a height of 35'-0" for this element only as depicted in the proposed elevations.
4. A front yard setback variation is being requested to reduce the required front setback from 25' to 15'-0". The existing building is currently located within the setback 15.38' from the front property line.
5. The applicant is requesting that the maximum F.A.R. be increased from .35 to .40. This increase would be under the Max. F.A.R. of .50 in the surrounding O-2 District which surrounds the site on all sides.
6. The applicant is requesting that the parking lot setback in the front yard be reduced from 25' to 15' to match building setback variation.
7. The applicant is requesting that the required 10' landscape buffer be removed to accommodate the odd shape lot and allow for a double loaded parking isle to run to the back of the property.

in the Village of Hinsdale

Paul Steger
Notary Signature

(SEAL)



Kimberly Brockman
Property Owner Signature

Kimberly Brockman
Property Owner Printed Name
1813 Forest Drive
Oldsmar, FL 34677
Address
727-642-4729
Phone and Fax Number No Fax No.



RUSSELL W. SCHOMIG, PLS
WILLIAM K. SCHOMIG

• BOUNDARY • TOPOGRAPHICAL • SUBDIVISIONS • ALTA/ACSM • CONDOMINIUMS • SITE PLANS • CONSTRUCTION • FEMA CERTIFICATES •

800 EAST 31st STREET
LA GRANGE PARK, ILLINOIS 60526
SCHOMIG-SURVEY@SCGLOCAL.NET
PHONE (708) 352-1452
FAX (708) 352-1454

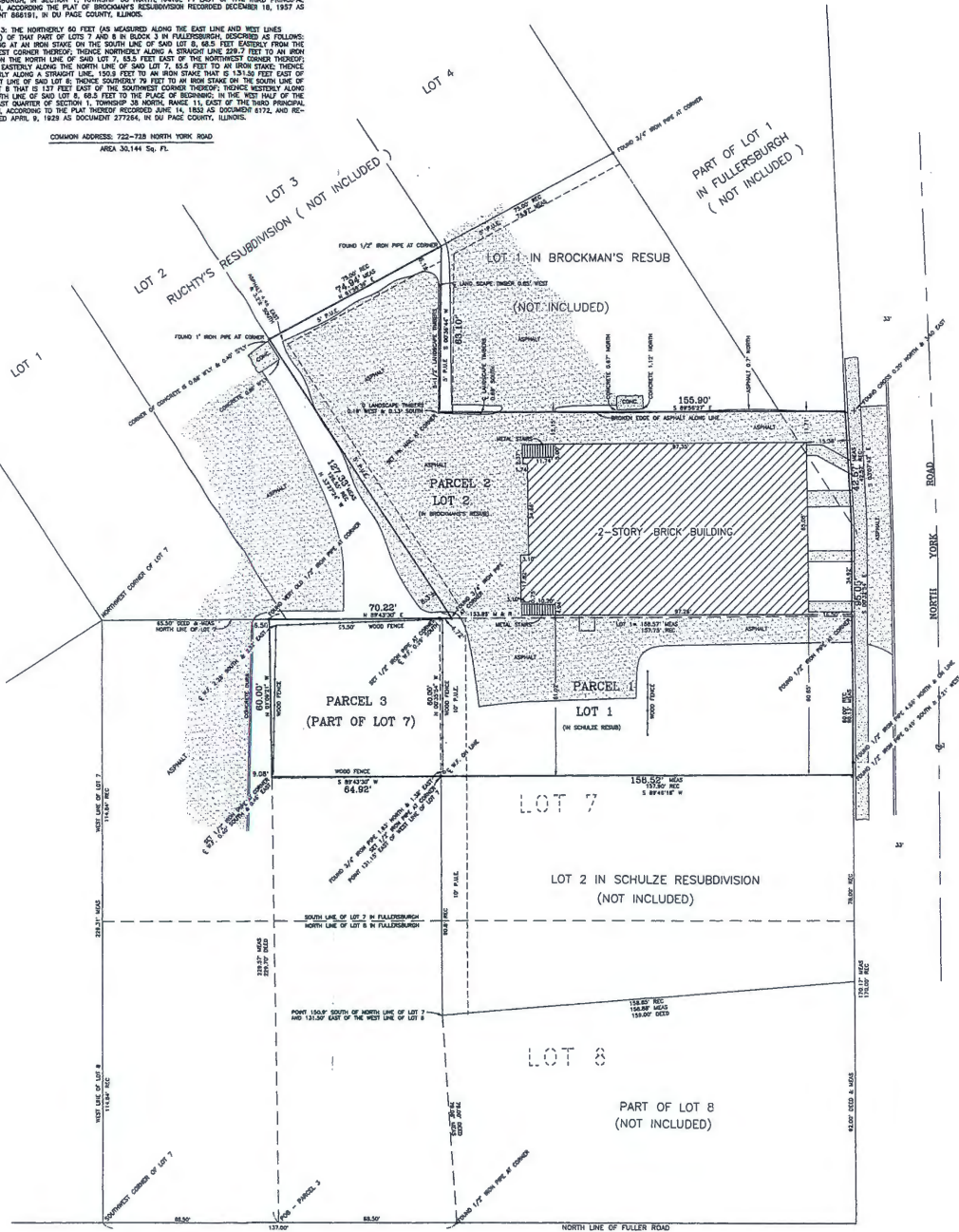
SCHOMIG LAND SURVEYORS, LTD. PLAT OF SURVEY

PARCEL 1: LOT 1 IN CHARLES SCHULZE RESUBDIVISION OF PARTS OF LOT 7 AND 8 IN BLOCK 3 OF THE PLAT OF FULLERSBURGH, IN SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1956 AS DOCUMENT 611735, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 2: LOT 2 IN BROCKMAN'S RESUBDIVISION OF LOT 5 IN RUCHTY'S RESUBDIVISION OF LOTS 2 AND 3 IN BLOCK 3 OF THE PLAT OF FULLERSBURGH AND PART OF LOT 1 IN BLOCK 2 IN THE PLAT OF FULLERSBURGH, IN SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF BROCKMAN'S RESUBDIVISION RECORDED DECEMBER 16, 1957 AS DOCUMENT 656151, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 3: THE NORTHERLY 60 FEET (AS MEASURED ALONG THE EAST LINE AND WEST LINES THEREOF) OF THAT PART OF LOTS 7 AND 8 IN BLOCK 3 IN FULLERSBURGH, DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON STAKE ON THE SOUTH LINE OF SAID LOT 8, 68.5 FEET EASTERLY FROM THE SOUTHWEST CORNER THEREOF; THENCE NORTHEAST ALONG A STRAIGHT LINE 29.7 FEET TO AN IRON STAKE ON THE NORTH LINE OF SAID LOT 7, 85.5 FEET EAST OF THE NORTHWEST CORNER THEREOF; THENCE EASTERLY ALONG THE NORTH LINE OF SAID LOT 7, 85.5 FEET TO AN IRON STAKE THENCE SOUTHERLY ALONG A STRAIGHT LINE, 150.9 FEET TO AN IRON STAKE ON THE SOUTH LINE OF SAID LOT 8 THAT IS 137 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID LOT 8, 68.5 FEET TO THE PLACE OF BEGINNING, IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1953 AS DOCUMENT 6172, AND RECORDED APRIL 9, 1929 AS DOCUMENT 277264, IN DU PAGE COUNTY, ILLINOIS.

COMMON ADDRESS: 723-735 NORTH YORK ROAD
AREA 30.144 Sq. Ft.



THE CUSTOMER LISTED BELOW PROVIDED THE LEGAL DESCRIPTION OF THE PROPERTY AND WE DO NOT GUARANTEE THAT THIS IS THE CORRECT LEGAL DESCRIPTION FOR THE TRANSACTION INTENDED.

SCHOMIG LAND SURVEYORS, LTD. ASSUMES NO LIABILITY FOR ANY DISCREPANCY OR INADEQUACY IN THE INFORMATION PROVIDED HEREON UNLESS OTHERWISE NOTED. THE PLAT DOES NOT SHOW BUILDING LINES OR OTHER RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES.

DO NOT SCALE DIMENSIONS FROM THIS PLAT. THE LOCATION OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY. NO DIMENSIONS MAY BE TAKEN FROM THE INFORMATION SHOWN WITHOUT THE WRITTEN PERMISSION OF SCHOMIG LAND SURVEYORS, LTD. ONLY PLATS WITH AN EXAMINED SEAL AND OFFICIAL DOCUMENTS. FIELD WORK WAS COMPLETED FOR SURVEY DATE LISTED BELOW.

©COPYRIGHT, ALL RIGHTS RESERVED.

SURVEY DATE: NOVEMBER 23, 2010

ORDERED BY: KIM BROCKMAN

PLAT NUMBER: 101175, FC 2424, 106-140, SCALE: 1" = 20'



STATE OF ILLINOIS } ss.
COUNTY OF COOK }

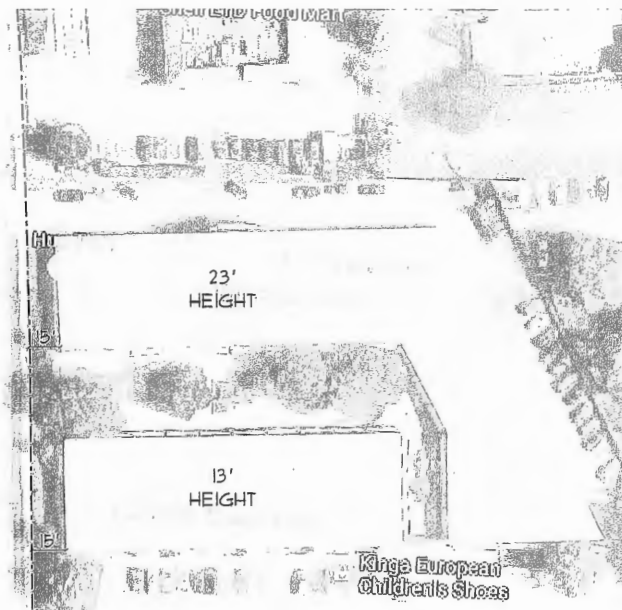
WE, SCHOMIG LAND SURVEYORS, LTD. AS AN ILLINOIS PROFESSIONAL DESIGN FIRM, LAND SURVEYING CORPORATION, DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION AFFIXED TO THIS PLAT.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS OF A FOOT. DIMENSIONS SHOWN ON BUILDINGS ARE TO THE OUTSIDE OF BUILDINGS. THE SHADE OF SHADINGS, IF SHOWN AND UNLESS OTHERWISE NOTED, ARE ASSUMED, AND SHOWN TO INDICATE AN ANGULAR RELATIONSHIP OF LOT LINES.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS WRITING STANDARDS FOR A BOUNDARY SURVEY.

L.P. = IRON PIPE
C.L.P. = CHAIN LINK FENCE
W.F. = WOOD FENCE
B.L. = BUILDING LINES
P.L.E. = PUBLIC UTILITY EASEMENT
O.E. = ORANGE EASEMENT

BY: *Russell W. Schomig*
PROFESSIONAL ILLINOIS LAND SURVEYOR LICENSE # 035-002448



PER HINSDALE ZONING MAP

B-1 BUSINESS - COMMUNITY BUSINESS DISTRICT

VETERINARY SERVICES INCLUDING GROOMING PERMITTED IN B3 ONLY
GROOMING SERVICES PERMITTED SPECIAL USE IN B2

SETBACKS (PER ZONING CODE SECTION 5-110)

| | <u>REQUIRED</u> | <u>EXISTING</u> | <u>PROPOSED</u> |
|---------------|--------------------|-----------------|-----------------|
| B-1 STREET | 25' | 15.38' | 15' |
| B-1 SIDEYARD | 10' | 11.71' | 10' |
| B-1 REAR YARD | 20' | 32' | 20' |
| MAX HEIGHT | 2 STORIES - 30'-0" | 24' | 30'/31' |

$$1/32'' = 1'-0''$$

724 N. YORK ROAD
HINSDALE, IL.

| NAME | DATE |
|--------------|------------|
| SMITH, JAMES | 9/2-9/2-72 |
| ALLEN, JAMES | 9/2-9/2-72 |
| ALLEN, JAMES | 9/2-9/2-72 |
| ALLEN, JAMES | 9/2-9/2-72 |

2015-0101
PROJECT NUMBER

FILE NUMBER
12-27-2016

DATE
MKB
DRAWN BY

FINAL REVIEW

COPYRIGHT © UNION GROUP INC.
ALL RIGHTS RESERVED.

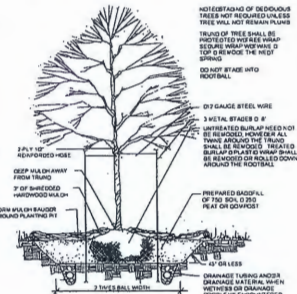
SITE PLAN

SOCIETY

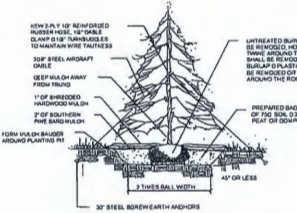
A-0.4

SHEET 0

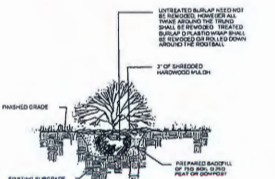
PRELIMINARY



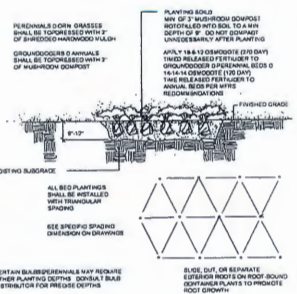
DECIDUOUS TREE



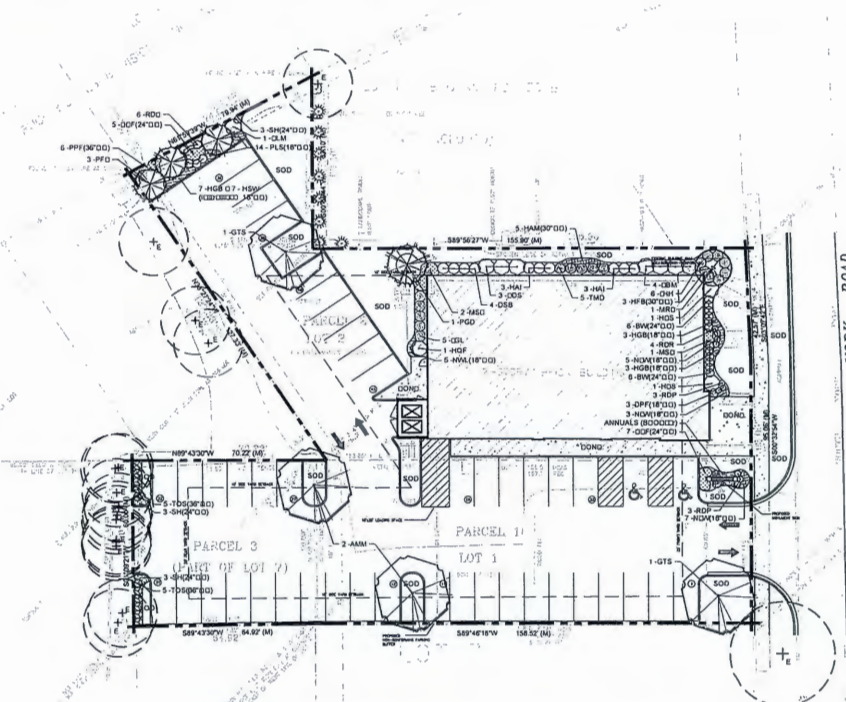
EVERGREEN TREE



SHRUBS



BED PLANTING DETAIL
(PERENNIALS, ORNAMENTAL GRASSES
CINES, GROUNDCOVERS & ANNUALS)



GENERAL NOTES

1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

5. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

6. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

7. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1-2012).

| KEY | QTY | BOTANICAL NAME | COMMON NAME | SIZE | TYPE |
|---|---------------|---------------------------------------|------------------------------------|--------|------|
| DECIDUOUS SHADE TREES | | | | | |
| AN4 | 2 | Acer m. 'Norfolk' | State Street Maple | 20" DB | |
| GT8 | 2 | Gleditsia IL 'Savanna' | Savanna Honeylocust | 20" DB | |
| EVERGREEN TREES | | | | | |
| PG2 | 1 | Pinus g. 'Dorset' | Black Hills Spruce | 6" DB | |
| PFV | 3 | Pinus L. 'Vanderwolf's Pyramid' | Vanderwolf's Pyramid Loblolly Pine | 6" DB | |
| TDS | 10 | Thuja x. 'Smaragd' | Emerald Green Arborvitae | 6" DB | |
| DECIDUOUS ORNAMENTAL TREES | | | | | |
| MLJ | 1 | Malus 'Red Jewel' | Red Jewel Crabapple | 6" DB | |
| DECIDUOUS SHRUBS & SHRUB ROSES | | | | | |
| DSB | 4 | Doronicum x. 'Butterfly' | Butterfly Bush Hardy Geranium | #5 | |
| HAH | 8 | Hydrangea x. 'Nancy' | Nancy's Reveal Hydrangea | #5 | |
| HGF | 1 | Hydrangea x. 'Quick Fire' | Quick Fire Hydrangea | #5 | |
| HVS | 2 | Hydrangea x. 'Vanilla Strawberry' | Vanilla Strawberry Hydrangea | #5 | |
| RSP | 8 | Rosa 'Walter' | Peace Day Rose | #5 | |
| RDR | 4 | Rosa 'Walter' | Red Day Rose | #5 | |
| RDK | 8 | Rosa 'Walter' | Double Knockout Bush Rose | #5 | |
| VBH | 4 | Viburnum d. 'Cherokee' | Blue Muffin Viburnum | 30" DB | |
| VDS | 3 | Viburnum d. 'Spineless' | Chicago Lustre Viburnum | 3" DB | |
| VLM | 1 | Viburnum L. 'Munich' | Munich Viburnum | 3" DB | |
| EVERGREEN SHRUBS | | | | | |
| JOL | 5 | Juniperus x. 'Gold Lace' | Gold Lace Juniper | 24" DB | |
| JHL | 8 | Juniperus x. 'Hughes' | Hughes Juniper | 24" DB | |
| TAD | 5 | Taxus m. 'Danseuse' | Dance Tree | 24" DB | |
| BRONZE LEAF EVERGREENS | | | | | |
| BW | 12 | Buxus 'Wilson' | Northern Cream Boxwood | #3 | |
| ORNAMENTAL GRASS | | | | | |
| CRF | 12 | Calamagrostis x. 'Variegata' | Feather Reed Grass | #1 | |
| DFP | 3 | Deschampsia c. 'Pala Fountain' | Pala Fountain Tall Hair Grass | #1 | |
| MEV | 3 | Miscanthus x. 'Vagabond' | Vagabond Silver Grass | #1 | |
| PPF | 8 | Panicum x. 'Patriot' | Patriot Switch Grass | #1 | |
| SH | 8 | Sporobolus tenuifolius | Pine Grass | #1 | |
| PERENNIALS | | | | | |
| HGB | 12 | Hebe x. 'Gloria Benaud' | Gloria Benaud Hebe | #1 | |
| HSW | 7 | Hemerocallis 'Summer Wave' | Summer Wave Daylily | #1 | |
| HAM | 5 | Hasta August Moon' | August Moon Hosta | #1 | |
| HFB | 3 | Hasta August Moon' | August Moon Hosta | #1 | |
| HNH | 15 | Nepeta x. 'Honeycrisp' | Honeycrisp Catnip | #1 | |
| HYL | 5 | Hypericum L. 'Lime Green' | Lime Green St. John's Wort | #1 | |
| PLR | 14 | Penstemon x. 'Little Spirit' | Little Spirit Penstemon | #1 | |
| MATERIAL & LABOR LIST | | | | | |
| SIZE | ITEM | DESCRIPTION | | | |
| 125 CY | Imported Soil | 8" Topsoil (By Excavating Contractor) | | | |
| 525 SF | Soil | Sanitary (By Excavating Contractor) | | | |
| 12 CY | Mulch | Shredded Hardwood Bark | | | |
| 2 CY | Mulch | Compost (Part Worm or Mushroom) | | | |

© 2017 HINSDALE ANIMAL HOSPITAL, LLC
ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM HINSDALE ANIMAL HOSPITAL, LLC.

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|----------|-------------|
| 1 | 10/20/17 | |

RWE
MANAGEMENT COMPANY
1100 N. 1st Street, Suite 100
Hinsdale, IL 60142
Phone: (630) 735-0800
Fax: (630) 735-0801
E-Mail: info@rwe.com

HINSDALE ANIMAL HOSPITAL
724 N. YORK ROAD
HINSDALE, IL

IRG Irwin Ryan Group, Inc.
334 E. LINCOLN AVE.
LOMBARD, IL 60148
PHONE: 630.737.8778

Landscape Architecture
Park & Recreation Design
Site & Community Planning

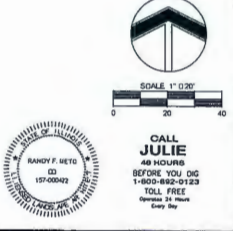
www.irwgroup.com

LANDSCAPE PLAN

PROJECT NO. D. DB NO. C
L3016 8925A

DATE: 12/20/16
SCALE: 1"=20'
PLANNED BY: RM
DRAWN BY: RM
CHECKED BY: RM

SHEET L-1



NOTES

1. EXISTING AND PROPOSED CONSTRUCTION SHALL BE SHOWN ON THE SAME PLAN.
2. THE PROPOSED CONSTRUCTION SHALL BE SHOWN ON THE SAME PLAN.
3. GRADING SHALL BE SHOWN ON THE SAME PLAN.
4. EXISTING AND PROPOSED CONSTRUCTION SHALL BE SHOWN ON THE SAME PLAN.
5. EXISTING AND PROPOSED CONSTRUCTION SHALL BE SHOWN ON THE SAME PLAN.
6. THE PROPOSED CONSTRUCTION SHALL BE SHOWN ON THE SAME PLAN.
7. THE PROPOSED CONSTRUCTION SHALL BE SHOWN ON THE SAME PLAN.

ALL EXISTING LANDSCAPING NOTED FOR PRESERVATION, SHALL BE PROTECTED DURING CONSTRUCTION VIA PLASTIC SAFETY FENCING. FENCING SHALL BE 4' HIGH AND ATTACHED TO STEEL ORIGIN POSTS SET NO FARTHER THAN 8' O.C. IT SHALL BE INSTALLED AT THE PERIPHERY OF THE DRIP LINE OF EXISTING PLANT MATERIAL OR BEYOND TO PREVENT STORAGE OF DEBRIS OR MATERIALS AND THE ENDOURMENT OF GRADING AND CONSTRUCTION EQUIPMENT.

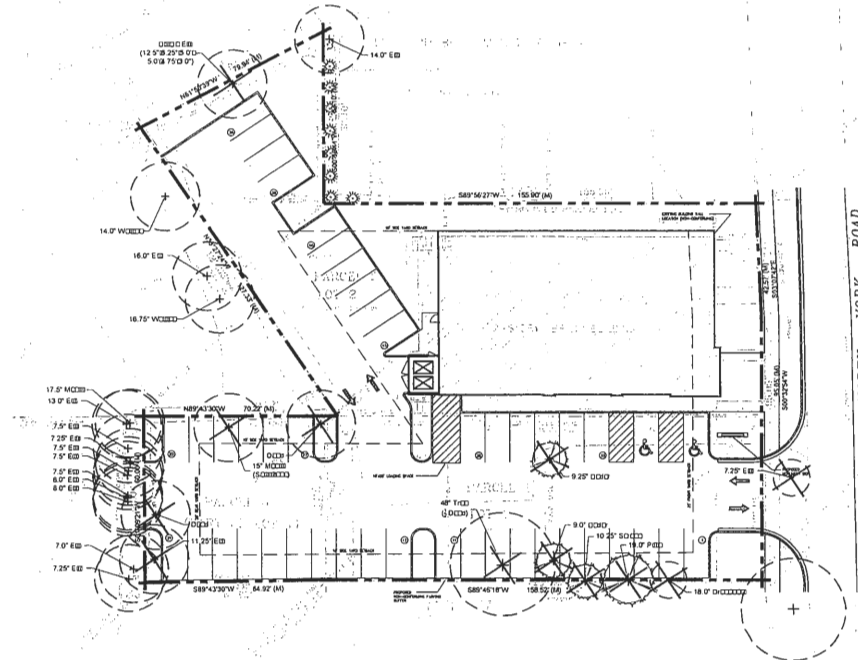
CONSTRUCTION FENCING SHALL BE ERECTED PRIOR TO ANY GRADING OR CONSTRUCTION ACTIVITIES. PREVENTING COMPACTION OF ROOT SYSTEMS OF EXISTING TREES AND SHRUBS. THE FENCING SHALL ENCLOSE THE AREA BENEATH THE DRIP LINE OF THE TREE CANOPY AND SHALL REMAIN IN PLACE UNTIL ALL CONSTRUCTION IS COMPLETED. NO PARKING, MATERIAL STORAGE OR CONSTRUCTION ACTIVITIES SHALL BE PERMITTED WITHIN THE FENCED AREA.

ORANGE POLYETHYLENE SAFETY FENCING
PLACED AT OR BEYOND DRIP-LINE

4' TALL ORIGIN STEEL POSTS @ 8' O.C. MAX

TREE PRESERVATION DETAIL

NTS



X TREES TO BE REMOVED



SCALE 1" = 30'



CALL
JULIE
BEFORE YOU DIG
48 HOURS
1-800-882-0123
TOLL FREE
Over 21 Hours
Every Day

© 2017 HINSDALE ANIMAL HOSPITAL
ALL RIGHTS RESERVED
NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM HINSDALE ANIMAL HOSPITAL.

REVISIONS

| REVISION | DATE |
|----------|----------|
| 1 | 12/20/16 |

RWE
MANAGEMENT COMPANY
1340 N. WILSON AVE.
Rt. 100, Box 100
Hinsdale, IL 60521
Phone: (630) 254-0883
Fax: (630) 254-0883
E Fax: (630) 254-0883

HINSDALE ANIMAL HOSPITAL
724 N. YORK ROAD
HINSDALE, IL

IRG Inc./Ryan Group, Inc.
324 EISENHOWER LANE N.
LOMBARD, IL 60148
PHONE: 630.717.8718

Landscape Architecture
Park & Recreation Design
Site & Community Planning
www.ryanirg.com

TREE PRESERVATION PLAN

PROJECT NO. 0 DB NO. 0
L3016 8925A

DATED 12/20/16
SCALE 1" = 30'
PLANNER RM
DRAWN BY QJ RM
CHECKED QJ

SHEET
TP-1

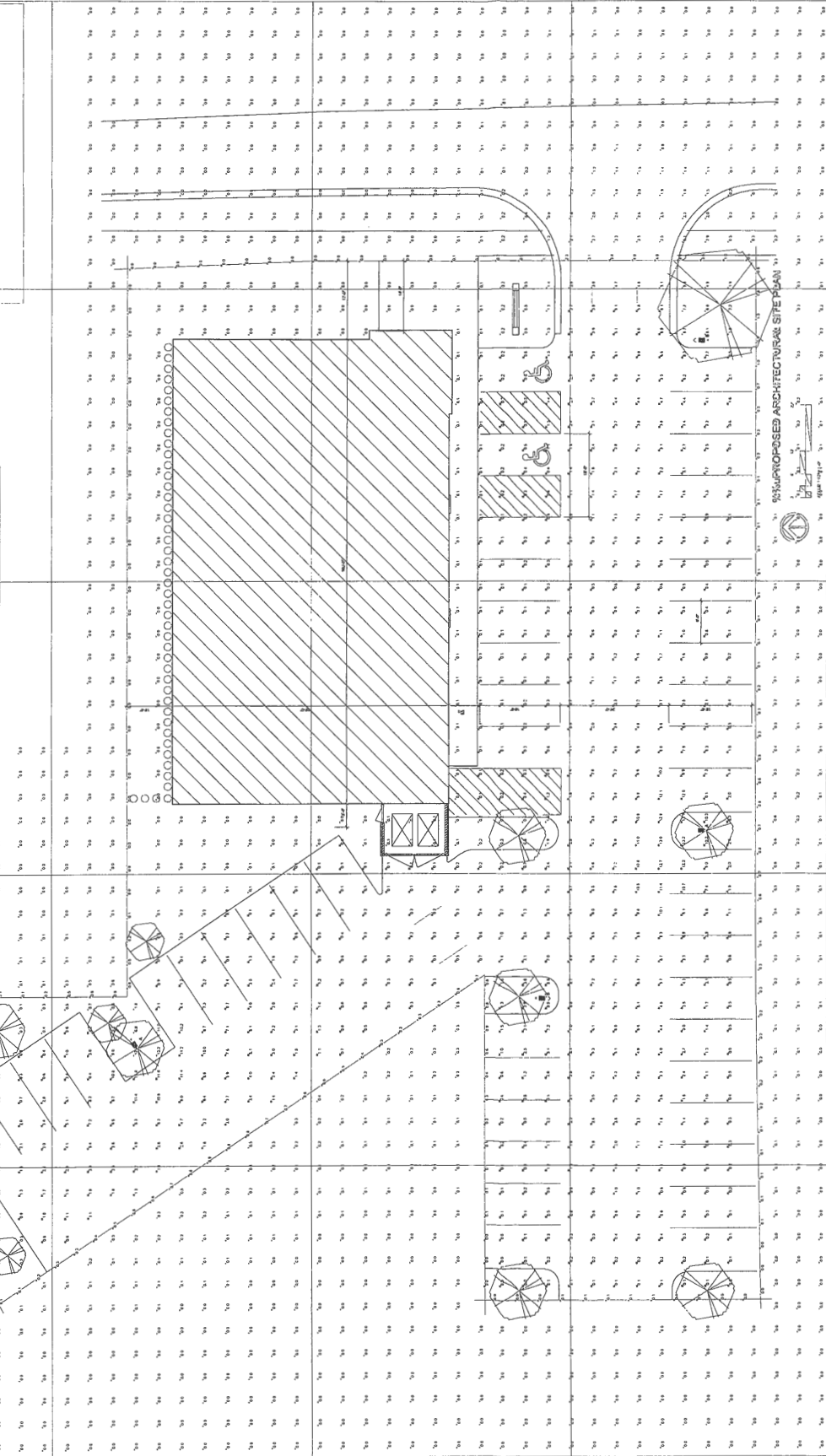
| LUMINOUS FLUX (LM) OF LIGHT SOURCES | | | |
|-------------------------------------|-----------|-------------------|-------------------|
| Light Source | Power (W) | Light Output (lm) | Efficiency (lm/W) |
| 1. 100W LED | 100 | 10000 | 100 |
| 2. 200W LED | 200 | 20000 | 100 |
| 3. 300W LED | 300 | 30000 | 100 |
| 4. 400W LED | 400 | 40000 | 100 |
| 5. 500W LED | 500 | 50000 | 100 |
| 6. 600W LED | 600 | 60000 | 100 |
| 7. 700W LED | 700 | 70000 | 100 |
| 8. 800W LED | 800 | 80000 | 100 |
| 9. 900W LED | 900 | 90000 | 100 |
| 10. 1000W LED | 1000 | 100000 | 100 |

| LUMINOUS FLUX (LM) OF LIGHT SOURCES | | | |
|-------------------------------------|-----------|-------------------|-------------------|
| Light Source | Power (W) | Light Output (lm) | Efficiency (lm/W) |
| 1. 100W LED | 100 | 10000 | 100 |
| 2. 200W LED | 200 | 20000 | 100 |
| 3. 300W LED | 300 | 30000 | 100 |
| 4. 400W LED | 400 | 40000 | 100 |
| 5. 500W LED | 500 | 50000 | 100 |
| 6. 600W LED | 600 | 60000 | 100 |
| 7. 700W LED | 700 | 70000 | 100 |
| 8. 800W LED | 800 | 80000 | 100 |
| 9. 900W LED | 900 | 90000 | 100 |
| 10. 1000W LED | 1000 | 100000 | 100 |

| LUMINOUS FLUX (LM) OF LIGHT SOURCES | | | |
|-------------------------------------|-----------|-------------------|-------------------|
| Light Source | Power (W) | Light Output (lm) | Efficiency (lm/W) |
| 1. 100W LED | 100 | 10000 | 100 |
| 2. 200W LED | 200 | 20000 | 100 |
| 3. 300W LED | 300 | 30000 | 100 |
| 4. 400W LED | 400 | 40000 | 100 |
| 5. 500W LED | 500 | 50000 | 100 |
| 6. 600W LED | 600 | 60000 | 100 |
| 7. 700W LED | 700 | 70000 | 100 |
| 8. 800W LED | 800 | 80000 | 100 |
| 9. 900W LED | 900 | 90000 | 100 |
| 10. 1000W LED | 1000 | 100000 | 100 |

| LUMINOUS FLUX (LM) OF LIGHT SOURCES | | | |
|-------------------------------------|-----------|-------------------|-------------------|
| Light Source | Power (W) | Light Output (lm) | Efficiency (lm/W) |
| 1. 100W LED | 100 | 10000 | 100 |
| 2. 200W LED | 200 | 20000 | 100 |
| 3. 300W LED | 300 | 30000 | 100 |
| 4. 400W LED | 400 | 40000 | 100 |
| 5. 500W LED | 500 | 50000 | 100 |
| 6. 600W LED | 600 | 60000 | 100 |
| 7. 700W LED | 700 | 70000 | 100 |
| 8. 800W LED | 800 | 80000 | 100 |
| 9. 900W LED | 900 | 90000 | 100 |
| 10. 1000W LED | 1000 | 100000 | 100 |

| LUMINOUS FLUX (LM) OF LIGHT SOURCES | | | |
|-------------------------------------|-----------|-------------------|-------------------|
| Light Source | Power (W) | Light Output (lm) | Efficiency (lm/W) |
| 1. 100W LED | 100 | 10000 | 100 |
| 2. 200W LED | 200 | 20000 | 100 |
| 3. 300W LED | 300 | 30000 | 100 |
| 4. 400W LED | 400 | 40000 | 100 |
| 5. 500W LED | 500 | 50000 | 100 |
| 6. 600W LED | 600 | 60000 | 100 |
| 7. 700W LED | 700 | 70000 | 100 |
| 8. 800W LED | 800 | 80000 | 100 |
| 9. 900W LED | 900 | 90000 | 100 |
| 10. 1000W LED | 1000 | 100000 | 100 |



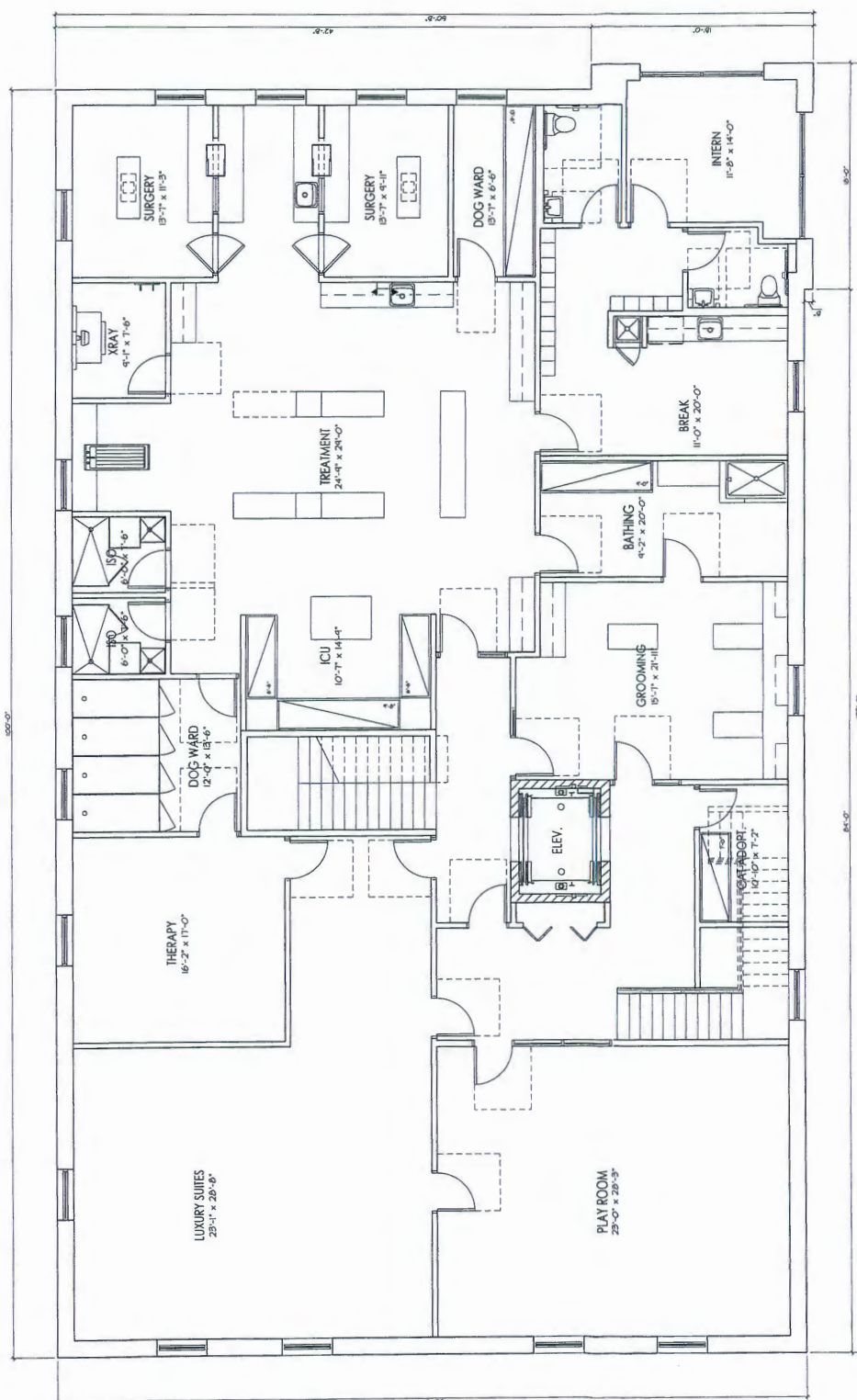
PROPOSED ARCHITECTURAL SITE PLAN



Scale: 1:100

Sheet No. 1 of 1







MEMORANDUM

DATE: March 6, 2017

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

CC: Christine Bruton, Village Clerk

FROM: Robert McGinnis, MCP
Director of Community Development/Building commissioner

RE: **Zoning Variation – V-03-17; 100 S. Garfield Street (HMS)**

In this application for variation, the applicants request relief from the following bulk zoning standards in order to construct a new shared parking deck;

1. Section 7-310(C)(1) Reduction to Front Yard Setback
2. Section 7-310(C)(2) Reduction to Side Yard Setback
3. Section 7-310(D) Increase in allowable Floor Area Ratio
4. Section 7-310(E)(11)(b) To allow structure to occupy more than 30% of the Required Interior Side Yard.
5. Section 9-104(G)(2)(b) To permit off-street parking in Required Front Yard.
6. Section 9-107(A) Reduce minimum perimeter landscape buffer.

It should be noted that the request for an increase in Floor Area Ratio (FAR) and the request to reduce the minimum perimeter landscape buffer will need to move on to the Board of Trustees as a recommendation.

This property is located in the IB Institutional Building District in the Village of Hinsdale and is located on the west side of Garfield Street between Second and Third. The property has a frontage of approximately 430', an average depth of 500', and a total square footage of approximately 214,790. The maximum FAR is .50 or approximately 107,395 square feet; there are no Building Coverage or Total Lot Coverage limitations set forth in the IB zoning district.

cc: Kathleen Gargano, Village Manager
Zoning file V-03-17

Zoning Calendar No. V-03-17

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): CCSD #181 and Village of Hinsdale _____

ADDRESS OF SUBJECT PROPERTY: 100 S Garfield Avenue, Hinsdale, IL 60521

TELEPHONE NUMBER(S): 630-861-4900

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

CCSD #181 and Village of Hinsdale are joint applicants as both will share the parking deck facility.

DATE OF APPLICATION: February 2017 _____



SECTION I

Please complete the following:

1. Owner. Name, address, and **telephone number** of owner: CCSD #181
115 W. 55th Street, Clarendon Hills, IL 60514 630-861-4900
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: CCSD #181 and Village of Hinsdale as Joint Applicants for a 242 vehicle parking deck.

4. Subject Property. Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) 100 South Garfield Avenue, Hinsdale, IL 60521
Legal description attached.

5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:
 - a. Architect: Cordogan Clark Associates, 960 Ridgeway, Aurora, IL 60506
 - b. Engineer: SmithGroupJJR, 35 E. Wacker, Suite 900, Chicago, IL 60601
 - 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. None
 - 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:

See attached supplemental text.

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.)

See attached supplemental text.

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.)

See attached supplemental text.

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.)

See attached supplemental text.

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: CCSD #181

Signature of Owner: 

Name of Applicant: CCSD #181 and Village of Hinsdale, Joint Applicants

Signature of Applicant: 

Date: February 2017

February 20, 2017

Village of Hinsdale
Application for Variation
Hinsdale Middle School Parking Deck
Supplemental Text

SECTION I

7. **Neighboring Owners:** List of neighboring owners to be provided by Village of Hinsdale.
9. **Existing Zoning:** Zoning graphic attached.
10. **Conformity:** No variation is being sought regarding conformity. The proposed parking deck is an approved accessory use.
11. **Zoning Standards:** Each requirement of the Zoning Ordinance will be satisfied with the exception of the items identified in Section II.

SECTION II

1. **Title:** Title commitment attached.
2. **Ordinance Provision:** The specific ordinance provisions for which a variation is sought:
 - Section 7-310.C.1
 - Section 7-310.C.2
 - Section 7-310.D
 - Section 7-310.E.11 (b)
 - Section 9-104.G.2.b
 - Section 9-107.A
3. **Variations Sought:** The specific variation being sought:
 - Section 7-310.C.1: Reduce width of front yard from 35' to 15'.
 - Section 7-310.C.2: Reduce width of interior side yard from 25' to 0'.
 - Section 7-310.D: Increase Floor Area Ratio (FAR) from .50 to .76.
 - Section 7-310.E.11 (b): Occupy more than 30% of the interior side yard with an accessory structure.
 - Section 9-104.G.2.b: Allow off-street parking in required front yard.
 - Section 9-107.A: Reduce minimum perimeter landscape buffer from 10' to 2'.
4. **Minimum Variation:**
 - Section 7-310.C.1: The proposed parking deck encroaches on the front yard setback by 20', the approximate length of a vehicle parking space; therefore, reducing the front yard setback to 15' is the minimum variation sought.
 - Section 7-310.C.2: The proposed building encroaches on the interior side yard setback by 25'; therefore, reducing the rear setback to 0' is the minimum variation sought.
 - Section 7-310.D: The gross square feet of the combination of the proposed middle school and the parking deck is 163,900 gsf that require an FAR of .76. This is the minimum variation sought.

- Section 7-310.E.11 (b): The parking deck, an accessory structure, will occupy more than 30% of the interior side yard; therefore, this is the minimum variation sought.
 - Section 9-104.G.2.b: The parking deck is designed to maximize the amount of spaces to meet the needs of the school and Village. Twenty spaces is the minimum amount of spaces located in the front yard setback.
 - Section 9-107.A: The parking deck is designed to maximize the amount of spaces to meet the needs of the school and Village. This requires the parking deck structure to be placed on the property line which reduces the minimum perimeter landscape buffer.
5. **Standards for Variation:** Facts that support the variation for each variation sought:

Section 7-310.C.1 (Reduce required front yard setback)

Unique Physical Condition: The site contains the existing Hinsdale Middle School that will need to remain in operation during the construction of the new middle school. This unique condition requires the new building to be sited with enough clearance from the existing school to promote student safety and maintain emergency egress, thereby minimizing the building area of the site.

Not Self-Created: The above unique physical condition is not a self-created condition. The Village is losing 50 parking spaces it leased from the District as a result of the new middle school project.

Denied Substantial Rights: Given the unique physical condition of the site, carrying out the strict letter of the provision would deprive the District and the Village of the right to develop their programmatic needs for a new middle school and visitors to downtown Hinsdale that are commonly enjoyed by owners of other lots subject to the same provision.

Not Merely Special Privilege: The variation sought is not due to the inability of the District and the Village to enjoy any special privileges or additional rights not available to other owners of similarly zoned lots. The location of the parking deck, which is the reason for the variation sought, does not impact whether the District and the Village will make more money from the use of the subject property.

Code and Plan Purposes: The variation sought would not result in a use or development of the site that would not be in harmony with the general and specific purposes of this provision.

Essential Character of the Area: The variation sought would not result in a use or development of the site that would be materially detrimental to the public welfare or injurious to the enjoyment, use development, or value of properties in the vicinity. The new parking deck would not impair an adequate supply of light or air to the properties in the vicinity, nor would substantially increase congestion in the public streets. A Traffic Impact Study of the proposed site plan indicated that area intersections will operate at acceptable levels of service and the new plan will address many of the existing circulation issues observed currently. The site plan incorporates measures that will alleviate parking demands, help promote public safety, and reduce the danger of flooding in adjacent areas. Utility demands of the new parking deck will not unduly tax public

facilities. Parking in the Central Business District is in high demand and the increase in capacity will only improve the parking shortfall in the area.

No Other Remedy: The District and the Village do not have any alternate locations available to accommodate the parking necessary for an 800-student school in combination with the parking demands from downtown visitors. The demands for the school are driven by accommodating the full student population in a permanent structure that meets 21st Century Learning philosophies and delivery models. The floor plan of the new school was designed to facilitate the 21st Century Learning philosophies and also promote student safety. The gymnasium and associated facilities must be located on the main floor to allow public access while securing the remainder of the building. This building design is limited to a smaller buildable area due to the unique physical condition described above and requires the variation sought to meet the requirements of the District and the Village. Parking in the Central Business District is in high demand. A study completed in 2014 by the Chicago Metropolitan Agency for Planning (CMAP) found that the highest demand parking area is located bordered by Hinsdale Ave to Second Street and Garfield to Lincoln and contains 383 parking spaces. The CMAP study further found that the busiest parking demand time is 10:00 am to 2:00 pm Monday through Friday. During those hours parking in the highest demand area is 100% occupied. Currently 7% of our retail store fronts are vacant and 6% of our office space is vacant. Retail merchants provided comment to the Village Board that customers regularly report difficulty finding parking in Hinsdale and often will leave when unable to find a parking space. Finally, even absent this, the Village will lose 50 shopper parking spaces when the new Hinsdale Middle School is built.

Section 7-310.C.2 (Reduce required interior side yard setback)

Unique Physical Condition: The site contains the existing Hinsdale Middle School that will need to remain in operation during the construction of the new middle school. This unique condition requires the new building to be sited with enough clearance from the existing school to promote student safety and maintain emergency egress, thereby minimizing the building area of the site.

Not Self-Created: The above unique physical condition is not a self-created condition. Additionally, the Village is losing 50 parking spaces it leased from the District as a result of the new middle school project.

Denied Substantial Rights: Given the unique physical condition of the site, carrying out the strict letter of the provision would deprive the District and the Village of the right to develop their programmatic needs for a new middle school and visitors to downtown Hinsdale that are commonly enjoyed by owners of other lots subject to the same provision.

Not Merely Special Privilege: The variation sought is not due to the inability of the District and the Village to enjoy any special privileges or additional rights not available to other owners of similarly zoned lots. The location of the parking deck, which is the reason for the variation sought, does not impact whether the District and the Village will make more money from the use of the subject property.

Code and Plan Purposes: The variation sought would not result in a use or development of the site that would not be in harmony with the general and specific purposes of this provision.

Essential Character of the Area: The variation sought would not result in a use or development of the site that would be materially detrimental to the public welfare or injurious to the enjoyment, use development, or value of properties in the vicinity. The new parking deck would not impair an adequate supply of light or air to the properties in the vicinity, nor would substantially increase congestion in the public streets. A Traffic Impact Study of the proposed site plan indicated that area intersections will operate at acceptable levels of service and the new site plan will address many of the existing circulation issues observed currently. The site plan incorporates measures that will alleviate parking demands, help promote public safety, and reduce the danger of flooding in adjacent areas. Utility demands of the new parking deck will not unduly tax public facilities. Parking in the Central Business District is in high demand and the increase in capacity will only improve the parking shortfall in the area.

No Other Remedy: The District and the Village do not have any alternate locations available to accommodate the parking necessary for an 800-student school in combination with the parking demands from downtown visitors. The demands for the school are driven by accommodating the full student population in a permanent structure that meets 21st Century Learning philosophies and delivery models. The floor plan of the new school was designed to facilitate the 21st Century Learning philosophies and also promote student safety. The gymnasium and associated facilities must be located on the main floor to allow public access while securing the remainder of the building. The buildable area is limited due to the unique physical condition described above and requires the variation sought to meet the requirements of the District and the Village. Parking in the Central Business District is in high demand. A study completed in 2014 by the Chicago Metropolitan Agency for Planning (CMAP) found that the highest demand parking area is located bordered by Hinsdale Ave to Second Street and Garfield to Lincoln and contains 383 parking spaces. The CMAP study further found that the busiest parking demand time is 10:00 am to 2:00 pm Monday through Friday. During those hours parking in the highest demand area is 100% occupied. Currently 7% of our retail store fronts are vacant and 6% of our office space is vacant. Retail merchants provided comment to the Village Board that customers regularly report difficulty finding parking in Hinsdale and often will leave when unable to find a parking space. Finally, even absent this, the Village will lose 50 shopper parking spaces when the new Hinsdale Middle School is built.

Section 7-310.D (Increase floor area ratio)

Unique Physical Condition: The site area is not large enough to support the programmatic needs of a middle school that provides 21st Century Learning philosophies and an accessory structure parking deck.

Not Self-Created: The above unique physical condition is not a self-created condition. Additionally, the Village is losing 50 parking spaces it leased from the District as a result of the new middle school project.

Denied Substantial Rights: Given the unique physical conditions of the site, carrying out the strict letter of the provision would deprive the District and the Village of the right to develop their programmatic needs for a new middle school and parking deck that are commonly enjoyed by similar developments of other lots subject to the same provision.

Not Merely Special Privilege: The variation sought is not due to the inability of the District and the Village to enjoy any special privileges or additional rights not available to other owners of similarly zoned lots. The floor area of the building and the parking deck, which is the reason for the variation sought, does not impact whether the District and the Village will make more money from the use of the subject property.

Code and Plan Purposes: The variation sought would not result in a use or development of the site that would not be in harmony with the general and specific purposes of this provision.

Essential Character of the Area: The variation sought would not result in a use or development of the site that would be materially detrimental to the public welfare or injurious to the enjoyment, use development, or value of properties in the vicinity. The new parking deck would not impair an adequate supply of light or air to the properties in the vicinity, nor would substantially increase congestion in the public streets. A Traffic Impact Study of the proposed site plan indicated that area intersections will operate at acceptable levels of service and the new plan will address many of the existing circulation issues observed currently. The site plan incorporates measures that will alleviate parking demands, help promote public safety, and reduce the danger of flooding in adjacent areas. Utility demands of the new school and parking deck will not unduly tax public facilities. Parking in the Central Business District is in high demand and the increase in capacity will only improve the parking shortfall in the area.

No Other Remedy: The new school was designed to facilitate 21st Century learning philosophies and promote student safety with regards to constructing the new middle school while the existing school remains active. The floor plan of the building is based on the programmatic needs of the school which include increasing the size of the core classrooms and laboratories which are currently inadequately sized for 21st Century learning philosophies. The opportunity to add a lower level of parking to create a parking deck that would benefit both the District and Village will increase the FAR to .76. Parking in the Central Business District is in high demand. A study completed in 2014 by the Chicago Metropolitan Agency for Planning (CMAP) found that the highest demand parking area is located bordered by Hinsdale Ave to Second Street and Garfield to Lincoln and contains 383 parking spaces. The CMAP study further found that the busiest parking demand time is 10:00 am to 2:00 pm Monday through Friday. During those hours parking in the highest demand area is 100% occupied. Currently 7% of our retail store fronts are vacant and 6% of our office space is vacant. Retail merchants provided comment to the Village Board that customers regularly report difficulty finding parking in Hinsdale and often will leave when unable to find a parking space. Finally, even absent this, the Village will lose 50 shopper parking spaces when the new Hinsdale Middle School is built.

Section 7-310.E.11 (b) (Occupy more than 30% of interior side yard)

Unique Physical Condition: The site contains the existing Hinsdale Middle School that will need to remain in operation during the construction of the new middle school. This unique condition requires the new building to be sited with enough clearance from the existing school to promote student safety and maintain emergency egress, thereby minimizing the building area of the site.

Not Self-Created: The above unique physical condition is not a self-created condition. Additionally, the Village is losing 50 parking spaces it leased from the District as a result of the new middle school project.

Denied Substantial Rights: Given the unique physical condition of the site, carrying out the strict letter of the provision would deprive the District and the Village of the right to develop their programmatic needs for a new middle school and visitors to downtown Hinsdale that are commonly enjoyed by owners of other lots subject to the same provision.

Not Merely Special Privilege: The variation sought is not due to the inability of the District and the Village to enjoy any special privileges or additional rights not available to other owners of similarly zoned lots. The location of the parking deck, which is the reason for the variation sought, does not impact whether the District and the Village will make more money from the use of the subject property.

Code and Plan Purposes: The variation sought would not result in a use or development of the site that would not be in harmony with the general and specific purposes of this provision.

Essential Character of the Area: The variation sought would not result in a use or development of the site that would be materially detrimental to the public welfare or injurious to the enjoyment, use development, or value of properties in the vicinity. The new parking deck would not impair an adequate supply of light or air to the properties in the vicinity, nor would substantially increase congestion in the public streets. A Traffic Impact Study of the proposed site plan indicated that area intersections will operate at acceptable levels of service and the new plan will address many of the existing circulation issues observed currently. The site plan incorporates measures that will alleviate parking demands, help promote public safety, and reduce the danger of flooding in adjacent areas. Utility demands of the new parking deck will not unduly tax public facilities. Parking in the Central Business District is in high demand and the increase in capacity will only improve the parking shortfall in the area.

No Other Remedy: The District and the Village do not have any alternate locations available to accommodate the parking necessary for an 800-student school in combination with the parking demands from downtown visitors. The demands for the school are driven by accommodating the full student population in a permanent structure that meets 21st Century Learning philosophies and delivery models. The floor plan of the new school was designed to facilitate the 21st Century learning philosophies and also promote student safety. The gymnasium and associated facilities must be located on the

main floor to allow public access while securing the remainder of the building. This building design is limited to a smaller buildable area due to the unique physical condition described above and requires the variation sought to meet the requirements of the District and the Village. Parking in the Central Business District is in high demand. A study completed in 2014 by the Chicago Metropolitan Agency for Planning (CMAP) found that the highest demand parking area is located bordered by Hinsdale Ave to Second Street and Garfield to Lincoln and contains 383 parking spaces. The CMAP study further found that the busiest parking demand time is 10:00 am to 2:00 pm Monday through Friday. During those hours parking in the highest demand area is 100% occupied. Currently 7% of our retail store fronts are vacant and 6% of our office space is vacant. Retail merchants provided comment to the Village Board that customers regularly report difficulty finding parking in Hinsdale and often will leave when unable to find a parking space. Finally, even absent this, the Village will lose 50 shopper parking spaces when the new Hinsdale Middle School is built.

Section 9-104.G.2.b (off-street parking located in the front yard setback)

Unique Physical Condition: The proposed building and site design is largely impacted by the existing building on site as mentioned above. There is a limited buildable area for the desired off-street parking when taking into account the necessary phasing of the construction. Also, parking for downtown Hinsdale is at severe shortage and has driven the site design to include as many parking spaces as possible that could be used for downtown patrons.

Not Self-Created: The above unique physical condition is not a self-created condition. Additionally, the Village is losing 50 parking spaces it leased from the District as a result of the new middle school project.

Denied Substantial Rights: Given the unique physical conditions of the site and the desire to provide additional parking for the downtown area, carrying out the strict letter of the provision would deprive the District and the Village the right to develop their programmatic needs for a new middle school and parking deck that are commonly enjoyed by similar developments of other lots subject to the same provision.

Not Merely Special Privilege: The variation sought is not due to the inability of the District and the Village to enjoy any special privileges or additional rights not available to other owners of similarly zoned lots.

Code and Plan Purposes: The variation sought would not result in a use or development of the site that would not be in harmony with the general and specific purposes of this provision. It should be noted the parking for the adjacent Garfield Square development to the north of the subject property exists in the front yard.

Essential Character of the Area: The variation sought would not result in a use or development of the site that would be materially detrimental to the public welfare or injurious to the enjoyment, use development, or value of properties in the vicinity. The new parking deck would not impair an adequate supply of light or air to the properties in the vicinity, nor would increase congestion in the public streets. A Traffic Impact Study

of the proposed site plan indicated that area intersections will operate at acceptable levels of service and the new plan will address many of the existing circulation issues observed currently. The parking design incorporates measures that will alleviate parking demands, help promote public safety, and reduce the danger of flooding in the adjacent areas. Utility demands of the parking area will not unduly tax public facilities. Parking in the Central Business District is in high demand and the increase in capacity will only improve the parking shortfall in the area.

No Other Remedy: Parking for both Hinsdale Middle School and downtown Hinsdale is at a severe shortage. Given the unique physical conditions mentioned above, there is a limited buildable area for parking on the subject property. Off-street parking in the required front yard will allow the school to meet and exceed the required number of spaces. When the parking is not being used for school purposes, the parking spaces will be available for downtown Hinsdale patrons and will serve to meet the demands of the Village of Hinsdale. Maximizing the amount of parking provided through continued coordination with the Village is a priority of the site development. It should also be noted the parking for the adjacent Garfield Square development to the north exists in their front yard. Parking in the Central Business District is in high demand. A study completed in 2014 by the Chicago Metropolitan Agency for Planning (CMAP) found that the highest demand parking area is located bordered by Hinsdale Ave to Second Street and Garfield to Lincoln and contains 383 parking spaces. The CMAP study further found that the busiest parking demand time is 10:00 am to 2:00 pm Monday through Friday. During those hours parking in the highest demand area is 100% occupied. Currently 7% of our retail store fronts are vacant and 6% of our office space is vacant. Retail merchants provided comment to the Village Board that customers regularly report difficulty finding parking in Hinsdale and often will leave when unable to find a parking space. Finally, even absent this, the Village will lose 50 shopper parking spaces when the new Hinsdale Middle School is built.

Section 9-107.A: (Reduce minimum perimeter landscape buffer)

Unique Physical Condition: The site contains the existing Hinsdale Middle School that will need to remain in operation during the construction of the new middle school. This unique condition requires the new building to be sited with enough clearance from the existing school to promote student safety and maintain emergency egress, thereby minimizing the building area of the site.

Not Self-Created: The above unique physical condition is not a self-created condition. Additionally, the Village is losing 50 parking spaces it leased from the District as a result of the new middle school project.

Denied Substantial Rights: Given the unique physical condition of the site, carrying out the strict letter of the provision would deprive the District and the Village of the right to develop their programmatic needs for a new middle school and visitors to downtown Hinsdale that are commonly enjoyed by owners of other lots subject to the same provision.

Not Merely Special Privilege: The variation sought is not due to the inability of the District and the Village to enjoy any special privileges or additional rights not available

to other owners of similarly zoned lots. The location of the parking deck, which is the reason for the variation sought, does not impact whether the District and the Village will make more money from the use of the subject property.

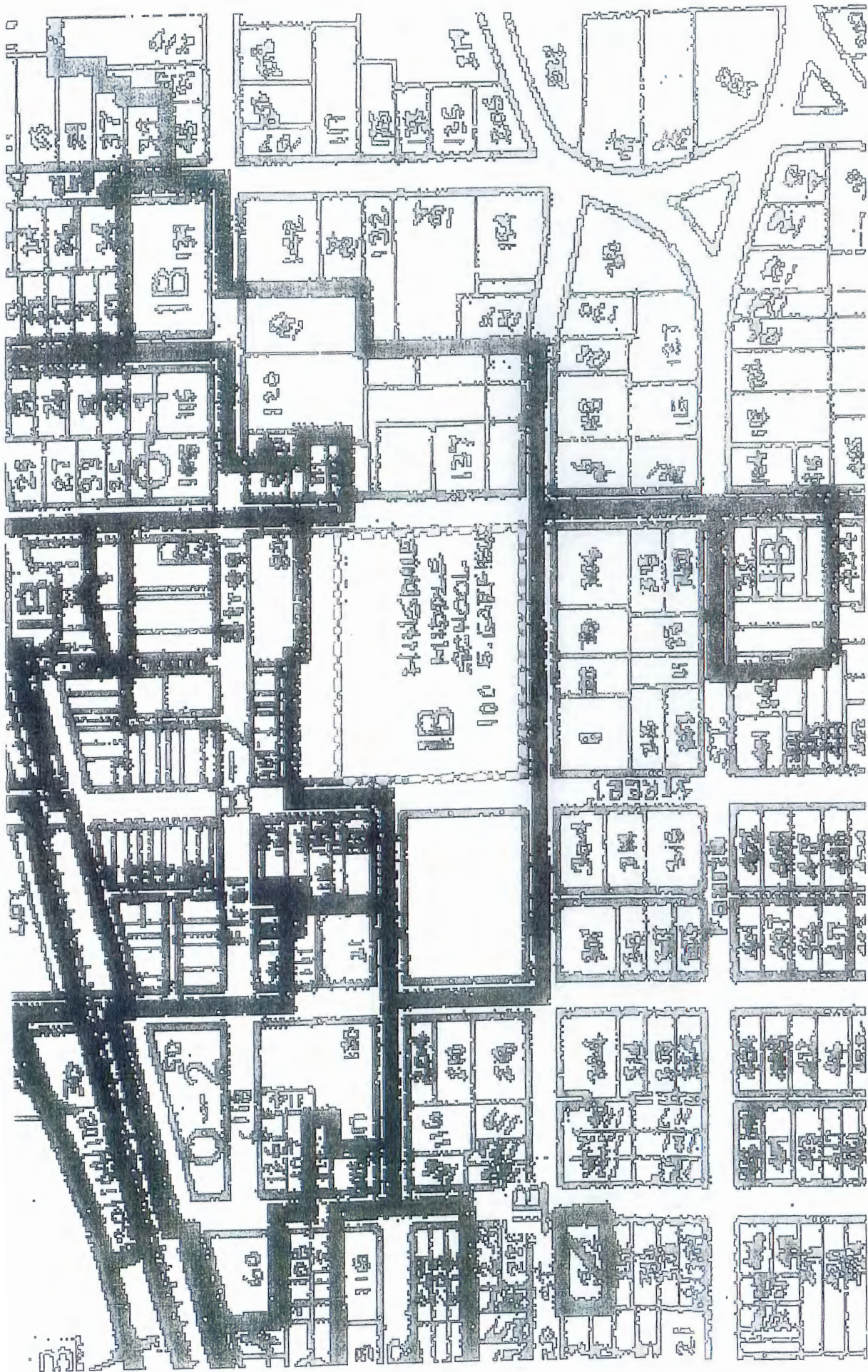
Code and Plan Purposes: The variation sought would not result in a use or development of the site that would not be in harmony with the general and specific purposes of this provision.

Essential Character of the Area: The variation sought would not result in a use or development of the site that would be materially detrimental to the public welfare or injurious to the enjoyment, use development, or value of properties in the vicinity. The new parking deck would not impair an adequate supply of light or air to the properties in the vicinity, nor would substantially increase congestion in the public streets. A Traffic Impact Study of the proposed site plan indicated that area intersections will operate at acceptable levels of service and the new site plan will address many of the existing circulation issues observed currently. The site plan incorporates measures that will alleviate parking demands, help promote public safety, and reduce the danger of flooding in adjacent areas. Utility demands of the new parking deck will not unduly tax public facilities. Parking in the Central Business District is in high demand and the increase in capacity will only improve the parking shortfall in the area.

No Other Remedy: The District and the Village do not have any alternate locations available to accommodate the parking necessary for an 800-student school in combination with the parking demands from downtown visitors. The demands for the school are driven by accommodating the full student population in a permanent structure that meets 21st Century Learning philosophies and delivery models. The floor plan of the new school was designed to facilitate the 21st Century learning philosophies and also promote student safety. The gymnasium and associated facilities must be located on the main floor to allow public access while securing the remainder of the building. The buildable area is limited due to the unique physical condition described above and requires the variation sought to meet the requirements of the District and the Village. Parking in the Central Business District is in high demand. A study completed in 2014 by the Chicago Metropolitan Agency for Planning (CMAP) found that the highest demand parking area is located bordered by Hinsdale Ave to Second Street and Garfield to Lincoln and contains 383 parking spaces. The CMAP study further found that the busiest parking demand time is 10:00 am to 2:00 pm Monday through Friday. During those hours parking in the highest demand area is 100% occupied. Currently 7% of our retail store fronts are vacant and 6% of our office space is vacant. Retail merchants provided comment to the Village Board that customers regularly report difficulty finding parking in Hinsdale and often will leave when unable to find a parking space. Finally, even absent this, the Village will lose 50 shopper parking spaces when the new Hinsdale Middle School is built.

| Name | Address | City | State | Zip Code | PIN | PIN | PIN | PIN | PIN |
|---|---------------------------|------------------|-------|----------|-----------|------------|-----------|-----|-----|
| SBC | 909 Chesnut North 36 M1 | St. Louis | Mo | 63101 | 912115010 | | | | |
| Riordan, Brian & Kelly | 116 W. 2nd St. | Hinsdale | IL | 60521 | 912116002 | | | | |
| Hartmann Jr., Fred & Sally | 119 W. 3rd St. | Hinsdale | IL | 60521 | 912116005 | | | | |
| Carey, Francis & Jean TR | 204 S. Lincoln St. | Hinsdale | IL | 60521 | 912116006 | | | | |
| Scales, Roberta A TR | 218 S. Lincoln St. | Hinsdale | IL | 60521 | 912116009 | | | | |
| Saigh, Robert & Patricia | 210 S. Lincoln St. | Hinsdale | IL | 60521 | 912116010 | | | | |
| Picerne, Jeanne M | 304 S. Lincoln St. | Hinsdale | IL | 60521 | 912117004 | | | | |
| Abdo, Daniel TR | 314 S. Lincoln St. | Hinsdale | IL | 60521 | 912117013 | | | | |
| Cesarini, Dominic 2504 | 54 S. Washington St. | Hinsdale | IL | 60521 | 912121020 | | | | |
| Fruit Store | 26 W 1st. St. | Hinsdale | IL | 60521 | 912122001 | | | | |
| Home Space, LLC | 306 S. Garfield | Hinsdale | IL | 60521 | 912122002 | | | | |
| JJCJ LLC | 18 W. 1st. St. | Hinsdale | IL | 60521 | 912122003 | | | | |
| Shriver TR, Catherine & ETA | 14 W. 1st. St. | Hinsdale | IL | 60521 | 912122004 | | | | |
| 111 Lincoln LLC | 723 W. North St. | Hinsdale | IL | 60521 | 912122005 | | | | |
| Berberian Companies | 515 Lyell Dr. Unit 101 | Modesto | CA | 95356 | 912122006 | 912122007 | | | |
| Odegard Properties | PO Box 58 | Western Springs | IL | 60558 | 912122008 | 912122009 | 912122010 | | |
| Rock Rubicon LLC Hinsdale | 114 E. 6th St. | Hinsdale | IL | 60521 | 912122013 | | | | |
| Corrigan, Freda Bremer C/O Jeanne Vaughan | 970 Greenwood Court South | Sanibel | FL | 33957 | 912122014 | | | | |
| Midwest Property Group | 520 W. Erie Unit 430 | Chicago | IL | 60654 | 912122015 | | | | |
| Matzelle, WM & Gretchen | 307 S. Lincoln St. | Hinsdale | IL | 60521 | 912124001 | | | | |
| Cefaratti, Samuel & T TR | 313 S. Lincoln St. | Hinsdale | IL | 60521 | 912124002 | | | | |
| Coffey, Thomas & Mary | 304 S. Washington St. | Hinsdale | IL | 60521 | 912124005 | 912124006 | | | |
| Dobrez, John & Tammy | 418 S. Washington | Hinsdale | IL | 60521 | 912124007 | | | | |
| JDR Investment Properties | 8 Robin Hood Ranch | Oakbrook | IL | 60523 | 912128016 | | | | |
| True North Investments Agent of Hinsdale First LLC | 3000 Woodcreek Dr. #300 | Downers Grove | IL | 60515 | 912128018 | | | | |
| Hinsdale Building Corporation | 25 E. 1st. St. | Hinsdale | IL | 60521 | 912129009 | | | | |
| 29 First LLC, C/O Midwest Property Group | 520 W. Erie Unit 430 | Chicago | IL | 60654 | 912129010 | | | | |
| Duboe Bryant, Susie TR | 1662 Foltz | Hoffman Estates | IL | 60195 | 912129011 | | | | |
| TRP 35 First Street LLC | 7630 Plaza Ct. | Wilowbrook | IL | 60527 | 912129012 | 9012129013 | | | |
| 1015 Washington St. LTD PTNRSHIP C/O Midwest Property Group | 520 W. Erie Unit 430 | Chicago | IL | 60654 | 912130001 | | | | |
| 8E1 Hinsdale LLC | 431 S. Dearborn No. 203 | Chicago | IL | 60605 | 912130002 | 912130007 | | | |
| Wayne Hummer TR 1739 | 727 N. Bank Lane | Lake Forest | IL | 60045 | 912130003 | | | | |
| First Church of Christ | 405 E. 1st. St. | Hinsdale | IL | 60521 | 912130004 | | | | |
| Mc Keague, Edward & Nancy | 42 S. Bodin St. | Hinsdale | IL | 60521 | 912130005 | | | | |
| Eighteen East Hinsdale LL | 18 E. 1st. St. | Hinsdale | IL | 60521 | 912130006 | | | | |
| Wisch Rental Properties L | PO Box 269 | Hinsdale | IL | 60522 | 912130008 | | | | |
| Village of Hinsdale | 19 E. Chicago Avenue | Hinsdale | IL | 60521 | 912130010 | 912130020 | | | |
| Garfield Crossing LLC | 1 Lincoln Center Unit 700 | Oakbrook Terrace | IL | 60181 | 912130016 | | | | |
| Hinsdale Chamber of Commerce | 22 E. 1st. St. | Hinsdale | IL | 60521 | 912130021 | | | | |
| Casten, Judith & Thomas | 8 E. 3rd St. | Hinsdale | IL | 60521 | 912131001 | | | | |
| Schneider, Robyn & Denise | 20 E. 3rd. St. | Hinsdale | IL | 60521 | 912131002 | | | | |
| East Third LLC | 306 S. Garfield | Hinsdale | IL | 60521 | 912131003 | | | | |
| Oles, James & S Starkston | 306 S. Garfield | Hinsdale | IL | 60521 | 912131004 | | | | |
| Shah, Neel & Caroline | 315 S. Washington St. | Hinsdale | IL | 60521 | 912131005 | | | | |
| Fiascone, Nicholas & A TR | 11 E. 4th St. | Hinsdale | IL | 60521 | 912131007 | | | | |

| | | | | | | | | | |
|---|--------------------------|----------|----|-------|-----------|-----------|-----------|-----------|-----------|
| Marsh, Thomas & Dolores | 23 E. 4th St. | Hinsdale | IL | 60521 | 912131008 | | | | |
| Prame, Thomas & Amy | 318 S. Garfield | Hinsdale | IL | 60521 | 912131009 | | | | |
| First Street Limited | 105 E. 1st. St. | Hinsdale | IL | 60521 | 912201007 | | | | |
| Garfield and First LLC | 101 S. Garfield | Hinsdale | IL | 60521 | 912207001 | | | | |
| Grace Church | 120 E. 1st. St. | Hinsdale | IL | 60521 | 912207002 | 912207003 | 912207004 | | |
| Davis, Thomas & Loretta CTLTC B7900556621 | 10 S. La Salle St. #2750 | Chicago | IL | 60603 | 912207007 | | | | |
| Schramko Realty Holdings | 13 S. Garfield Avenue | Hinsdale | IL | 60521 | 912207008 | | | | |
| Union Church of Hinsdale | 137 S. Garfield Avenue | Hinsdale | IL | 60521 | 912207009 | 912207010 | 912207011 | 912207012 | 912207019 |
| Union Church of Hinsdale | 3rd Garfield | Hinsdale | IL | 60521 | 912207018 | | | | |
| Sherman, Jennifer L | 305 S. Garfield Avenue | Hinsdale | IL | 60521 | 912211001 | | | | |
| Geier, Paul & Stephanie | 118 E. 3rd. St. | Hinsdale | IL | 60521 | 912211002 | | | | |
| Elder, Christopher & Amy | 321 S. Garfield Avenue | Hinsdale | IL | 60521 | 912211005 | | | | |



Hinsdale Middle School
Zoning Map

ALTA COMMITMENT FOR TITLE INSURANCE



CHICAGO TITLE INSURANCE COMPANY

Commitment Number:

16021074CS

CHICAGO TITLE INSURANCE COMPANY, a Nebraska corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six (6) months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This Commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, CHICAGO TITLE INSURANCE COMPANY has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

Chicago Title Insurance Company

By:

President

Attest:

Secretary



Copyright American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Commitment (08/17/2006)

Page 1

Printed: 09/15/18 @ 12:31 PM
IL-CT-FWET-01080.225408-SPS-1-16-16021074CS



CHICAGO TITLE INSURANCE COMPANY**COMMITMENT NO. 16021074CS**

| ORIGINATING OFFICE: | FOR SETTLEMENT INQUIRIES, CONTACT: |
|---|------------------------------------|
| Chicago Title Company, LLC 6432 Joliet Road, Suite A Countryside, IL 60525 Main Phone: (708)482-2900 Email: ctcountryside@ctt.com | |

Issued By: Chicago Title Company, LLC
6432 Joliet Road, Suite A
Countryside, IL 60525

SCHEDULE A**ORDER NO. 16021074CS**

Property Ref.: 100 S Garfield Ave, Hinsdale, IL 60521

1. Effective Date: August 26, 2016

2. Policy or (Policies) to be issued:

- a.
- | | |
|-------------------|------------------|
| Proposed Insured: | To Be Determined |
| Policy Amount: | \$0.00 |

3. The estate or interest in the land described or referred to in this Commitment is:

Fee Simple

4. Title to the estate or interest in the land is at the Effective Date vested in:

Regional Board of School Trustees of Dupage County, Illinois, a municipal corporation of the State of Illinois, and their successors in office for the use and benefit of the Community Consolidated School District Number 181, DuPage and Cook Counties, Illinois

5. The land referred to in this Commitment is described as follows:

THE SOUTH 31 FEET OF LOT 5 AND 6, AND ALL OF LOTS 7 AND 8 IN BLOCK 5, LOTS 1 THROUGH 8, BOTH INCLUSIVE, IN BLOCK 6, AND LOTS 1 THROUGH 8, BOTH INCLUSIVE, IN BLOCK 7, IN THE ORIGINAL TOWN OF HINSDALE, BEING A SUBDIVISION IN THE NORTHWEST 1/4 (EXCEPT RAILROAD LANDS) OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AUGUST 14, 1866 AS DOCUMENT 7738, TOGETHER WITH THAT PART OF VACATED 2ND STREET LYING BETWEEN BLOCKS 5 AND 6 AND TOGETHER WITH THAT PART OF VACATED ALLEY RUNNING NORTH AND SOUTH THROUGH THE CENTER OF SAID BLOCKS 5 AND 6, WHICH LIES EAST OF AND ADJOINING THE SOUTH 31 FEET OF LOT 6 AND ALL OF LOT 7 AND WEST OF AND ADJOINING THE SOUTH 31 FEET OF LOT 5 AND ALL OF LOT 8 IN BLOCK 5, EAST OF AND ADJOINING LOTS 2, 3, 6 AND 7 AND WEST OF AND ADJOINING LOTS 1, 4, 5 AND 8 IN BLOCK 6, AND THAT PART OF VACATED ALLEY RUNNING NORTH AND SOUTH THROUGH THE CENTER OF SAID BLOCK 7, WHICH LIES EAST OF AND ADJOINING LOTS 2, 3, 6 AND 7 AND WEST OF AND ADJOINING LOTS 1, 4, 5 AND 8 IN BLOCK 7, IN DUPAGE COUNTY, ILLINOIS.

END OF SCHEDULE A

Copyright American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Commitment (06/17/2006)

Page 2

Printed: 09.15.16 @ 12:31 PM
IL-CT-FWET-01080 225408-SPS-1-16-16021074CS



SCHEDULE B

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

General Exceptions

1. Rights or claims of parties in possession not shown by Public Records.
2. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.
3. Easements, or claims of easements, not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Taxes or special assessments which are not shown as existing liens by the Public Records.
6. We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically.
7. Note for Information: The coverage afforded by this commitment and any policy issued pursuant hereto shall not commence prior to the date on which all charges properly billed by the company have been fully paid.

- A 8. The General Taxes as shown below are marked exempt on the Collector's Warrants. Unless satisfactory evidence is submitted to substantiate said exemption, our policy, if and when issued, will be subject to said taxes.

Taxes for the years 2015 and 2016.

Taxes for the years 2016 are not yet due or payable.

Tax Number: 09-12-130-011-0000, 09-12-130-012-0000, 09-12-130-013-0000, 09-12-130-014-0000, 09-12-130-015-0000, 09-12-130-017-0000, 09-12-123-009-0000, 09-12-123-010-0000, 09-12-123-011-0000, 09-12-123-012-0000, 09-12-123-013-0000, 09-12-123-014-0000, 09-12-123-015-0000, 09-12-123-016-0000 and 09-12-130-018-0000

- C 9. For any special service areas and/or sanitary districts referenced below as a Schedule B Exception, a full payment letter must be presented in conjunction with any deed to be recorded



SCHEDULE B

(continued)

- B 10. Note: terms and conditions of the Flagg Creek Water Reclamation District amended ordinance 756, recorded March 13, 2009, as document R2009-037066, which relate to the payment of user charges prior to the sale or transfer of real estate within the districts service area, the computation of water consumption, and the evaluation of connection permits for the sale of commercial property within said service area. Ordinance provides in part that no person shall sell, transfer or otherwise convey title to or beneficial interest in any real property which is supplied with water service by the Flagg Creek Water Reclamation District without first obtaining a closing letter showing that all sewer assessments are paid in full.

Note: We should be furnished with a closing letter showing all sewer assessments are paid in full in connection with any recording to which the ordinance applies.

In the event of a transfer of the property, we should be furnished satisfactory evidence of compliance in the form of a connection letter as set forth in said ordinance.

- G 11. In order for the Company to insure the sale or transfer of school district property, the Company should be furnished a certified copy of the School Board Resolution which authorizes said transfer and evidence of any required publication of Notice of Public Sale.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

- K 12. Rights of the municipality, the State of Illinois, the public and adjoining owners in and to vacated alleys and vacated 2nd Street

- L 13. Rights of the public and quasi-public utilities, if any, in said vacated alleys and vacated 2nd Street for maintenance therein of poles, conduits, sewers and other facilities.

- N 14. Rights of Way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.

- M 15. Rights of the public, the State of Illinois and the municipality in and to that part of the Land, if any, taken or used for road purposes.

- D 16. Easement for facilities - Hinsdale Community School District 181 to AT&T recorded June 21, 2007 as document R2007-115225 and the terms and provisions contained therein

(affects lot 8 in Block 5)

- E 17. Restrictive covenant for construction of an improvement in the public right-of-way made by and between the Community Consolidated School District No. 181 and the Village of Hinsdale relating to a decorative driveway apron, recorded August 28, 2009 as document R2009-133924

(affects Lot 8 block 5 and other property not now in question)



CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org>.*

END OF CONDITIONS

Copyright American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use.
All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Commitment (06/17/2006)

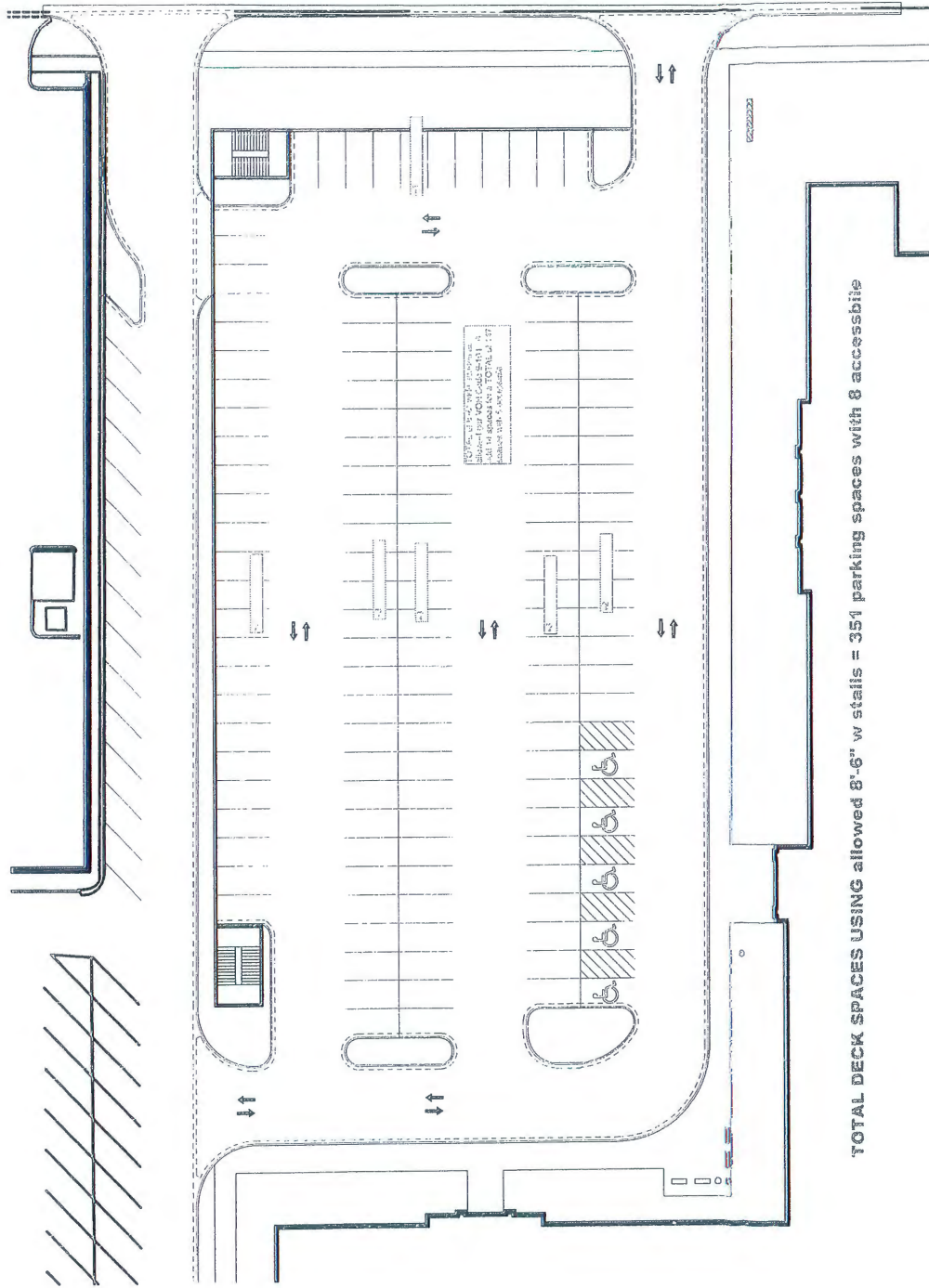
Page 7

Printed: 09.15.16 @ 12:31 PM
IL-CT-FWET-01080.225408-SPS-1-16-16021074CS

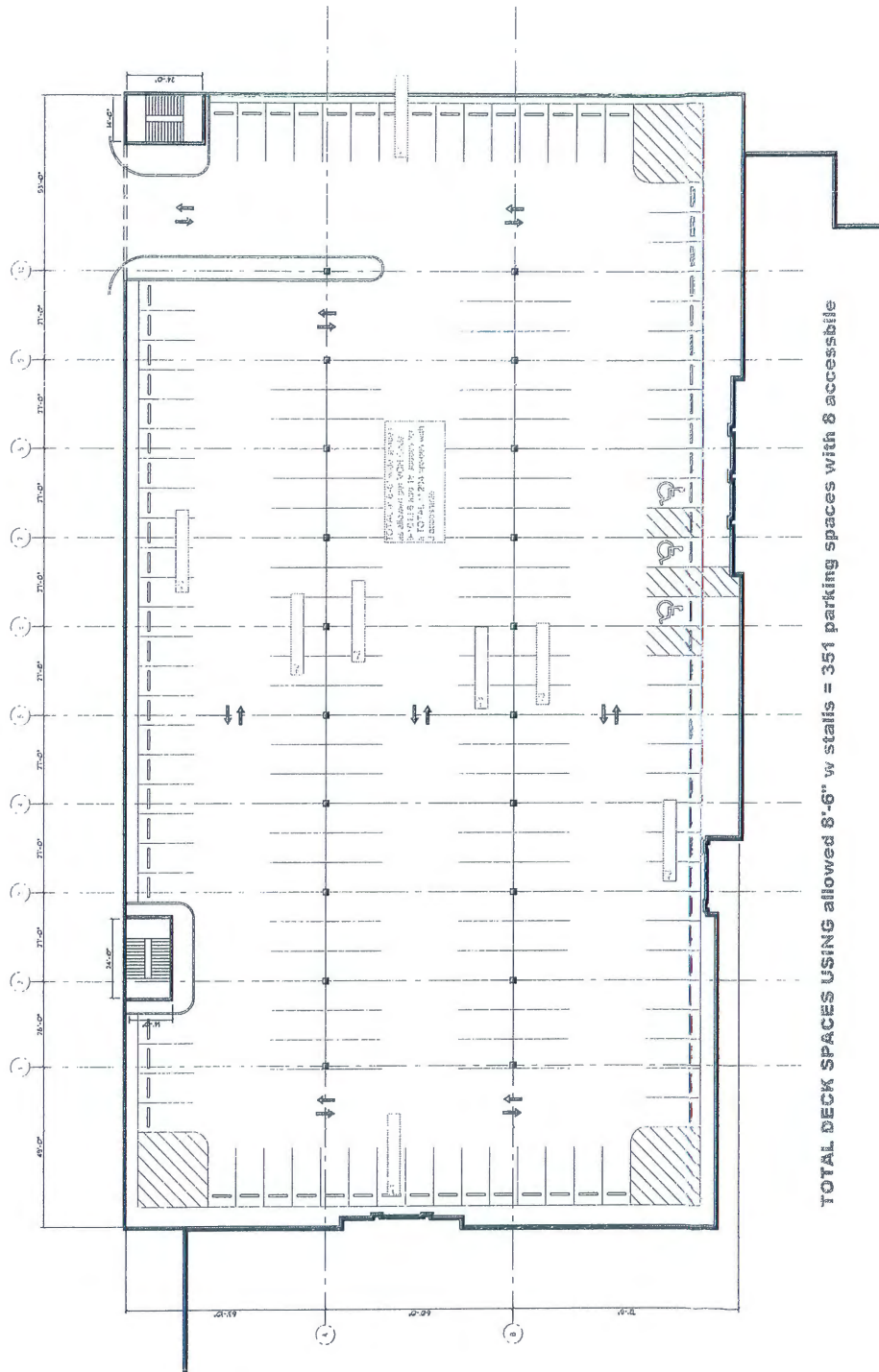








TOTAL DECK SPACES USING allowed 8'-6" w stalls = 351 parking spaces with 8 accessible





7c

MEMORANDUM

DATE: March 9, 2017

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

CC: Christine Bruton, Village Clerk

FROM: Robert McGinnis, MCP
Director of Community Development/Building commissioner

RE: **Zoning Variation – V-04-17; 444 E. 4th Street**

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

This property is located in the R1 Residential Zoning District in the Village of Hinsdale and is located on the south side of 4th Street between Oak Street and County Line Road. The property is a through-lot and has a frontage of approximately 228', a depth of approximately 332.8', and a total square footage of approximately 53,888. The maximum FAR is .20 plus 2,000 or 12,777 square feet, the maximum Building Coverage is 25% or 13,472 square feet, and the maximum Total Lot Coverage is 50% or 26,944 square feet.

cc: Kathleen Gargano, Village Manager
Zoning file V-04-17

Zoning Calendar No. V-04-17

VILLAGE OF HINSDALE
APPLICATION FOR VARIATION

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

FILING FEES: RESIDENTIAL VARIATION \$850.00

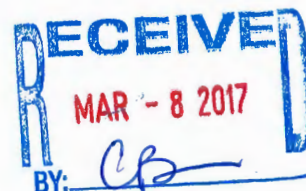
NAME OF APPLICANT(S): MATTHEW BOUSQUETTE

ADDRESS OF SUBJECT PROPERTY: 435 WOODSIDE

TELEPHONE NUMBER(S): 630-468-2725

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

DATE OF APPLICATION: 3/8/2017



SECTION I

Please complete the following:

1. Owner. Name, address, and telephone number of owner: MATTHEW BOUSQUETTE 448 E Fourth ST Hinsdale 630-468-2725
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: _____
4. Subject Property. Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) 435 WOODSIDE / 444 E Fourth ST
EXHIBIT "A"
5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:
 - a. Attorney: Dec
 - b. Engineer: Jon GREEN ERA 630-393-3060
 - c. ARCHITECT: DAVID PARSONS 630-567-8135
 - d. Builder: Peter Byrne 773-908-9174
 - e. STRUCTURE MOVERS: DAVE DeVought 848-232-1096

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.

EXHIBIT B

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.

EXHIBIT C

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.

EXHIBIT D

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.

EXHIBIT E

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.

EXHIBIT F

12. Successive Application. In the case of any application being filed less than two years after the denial of an application seeking essentially the same relief, submit with this application a statement as required by Sections 11-501 and 11-601 of the Hinsdale Zoning Code.

N/A

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:

ZONING CODES 3-110(C)(1) AND 10-105

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.)

TO REDUCE TOTAL REQUIRED lot AREA FROM
30,000 sq. ft. to 20,092 sq. ft. AFTER which,
a code compliant existing Zook Home at 444 E
Fourth ST will be re-positioned on the lot. NO
other VARIANCES would be needed or sought

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 9,908 sq. ft VARIANCE is sought.
Seeking ZBA Recommendation AND Trustee
Board Approval

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.)

EXHIBIT 6

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: Matthew Bousquet

Signature of Owner: Matthew C Bousquet

Name of Applicant: _____

Signature of Applicant: _____

Date: 3/2/2017

Exhibit A**Legal Description**

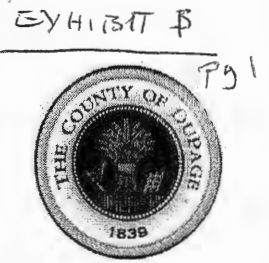
435 Woodside/444 E Fourth St

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

DuPageMaps - Parcel Report

User Request Date: Monday, March 6, 2017

Copyright 2017 - The County of Dupage, Illinois



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

| | |
|---------------------------|----------------|
| PIN | 0912214003 |
| Bill Name | CODE, ANDREW W |
| Property Number | 406 |
| Property Street Direction | E |
| Property Street Name | 3RD ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|-----------------|
| PIN | 0912214004 |
| Bill Name | CODE, ANDREW TR |
| Property Number | 420 |
| Property Street Direction | E |
| Property Street Name | 3RD ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|---------------------------|
| PIN | 0912214008 |
| Bill Name | PETERSON TR, ROBT & DEBRA |
| Property Number | 327 |
| Property Street Direction | S |
| Property Street Name | OAK ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|---------------------|
| PIN | 0912214009 |
| Bill Name | CHILLO, MICHAEL & J |
| Property Number | 411 |
| Property Street Direction | E |
| Property Street Name | 4TH ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

PIN 0912214010
Bill Name GERAMI, GERALD & E
Property Number 419
Property Street Direction E
Property Street Name 4TH ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912214011
Bill Name FLAHERTY, MICHAEL & LINDA
Property Number 425
Property Street Direction E
Property Street Name 4TH ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912214012
Bill Name SCALES, JOHN & KAREN
Property Number 435
Property Street Direction E
Property Street Name 4TH ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912214013
Bill Name NAPLETON, PAUL & K
Property Number 441
Property Street Direction E
Property Street Name 4TH ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912214017
Bill Name DAZE, ERIC & GUYLAINE
Property Number 445
Property Street Direction E
Property Street Name 4TH ST
Property Apartment
Property City HINSDALE
Property Zip 60521

| | |
|---------------------------|---------------------------|
| PIN | 0912214018 |
| Bill Name | CICERO 7215 & 1ST IL 7224 |
| Property Number | 330 |
| Property Street Direction | S |
| Property Street Name | COUNTY LINE RD |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|-------------------------|
| PIN | 0912221001 |
| Bill Name | THORSNESS, WILLIAM W TR |
| Property Number | 412 |
| Property Street Direction | E |
| Property Street Name | 4TH ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|-----------------------|
| PIN | 0912221002 |
| Bill Name | NERAD, JERRY & ANN TR |
| Property Number | 420 |
| Property Street Direction | E |
| Property Street Name | 4TH ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|-----------------|
| PIN | 0912221004 |
| Bill Name | HALEAS, PETER J |
| Property Number | 419 |
| Property Street Direction | S |
| Property Street Name | OAK ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|---------------------|
| PIN | 0912221005 |
| Bill Name | HOLMES, KEVIN & JOY |
| Property Number | 425 |
| Property Street Direction | |
| Property Street Name | WOODSIDE AVE |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|-----------------------|
| PIN | 0912221006 |
| Bill Name | BOUSQUETTE, MATTHEW C |
| Property Number | 444 |
| Property Street Direction | E |
| Property Street Name | 4TH ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|-----------------------|
| PIN | 0912221008 |
| Bill Name | BOUSQUETTE, MATTHEW C |
| Property Number | 444 |
| Property Street Direction | E |
| Property Street Name | 4TH ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|-----------------------|
| PIN | 0912221009 |
| Bill Name | BOUSQUETTE, MATTHEW C |
| Property Number | 444 |
| Property Street Direction | E |
| Property Street Name | 4TH ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|-----------------------|
| PIN | 0912222003 |
| Bill Name | BENSON, DONALD & JOAN |
| Property Number | 466 |
| Property Street Direction | |
| Property Street Name | WOODSIDE AVE |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|---------------------|
| PIN | 0912222004 |
| Bill Name | AUERBACH, DARLENE M |
| Property Number | 420 |
| Property Street Direction | S |
| Property Street Name | COUNTY LINE RD |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

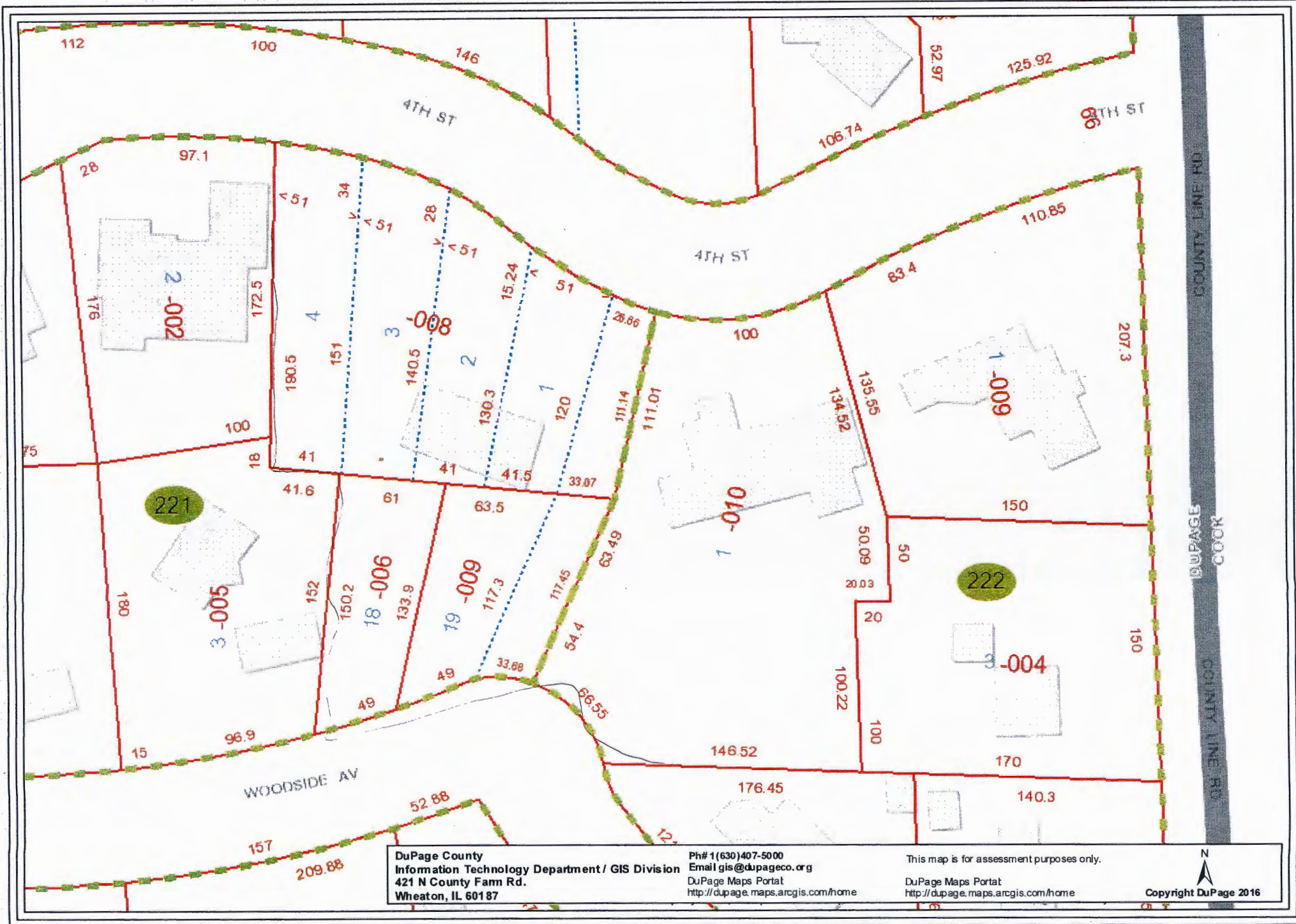
| | |
|---------------------------|-----------------------|
| PIN | 0912222005 |
| Bill Name | HARRISON TR, MARK & G |
| Property Number | 436 |
| Property Street Direction | S |
| Property Street Name | COUNTY LINE RD |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|---------------------------|
| PIN | 0912222009 |
| Bill Name | WRIGHT, SHEILA & PETER TR |
| Property Number | 452 |
| Property Street Direction | E |
| Property Street Name | 4TH ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

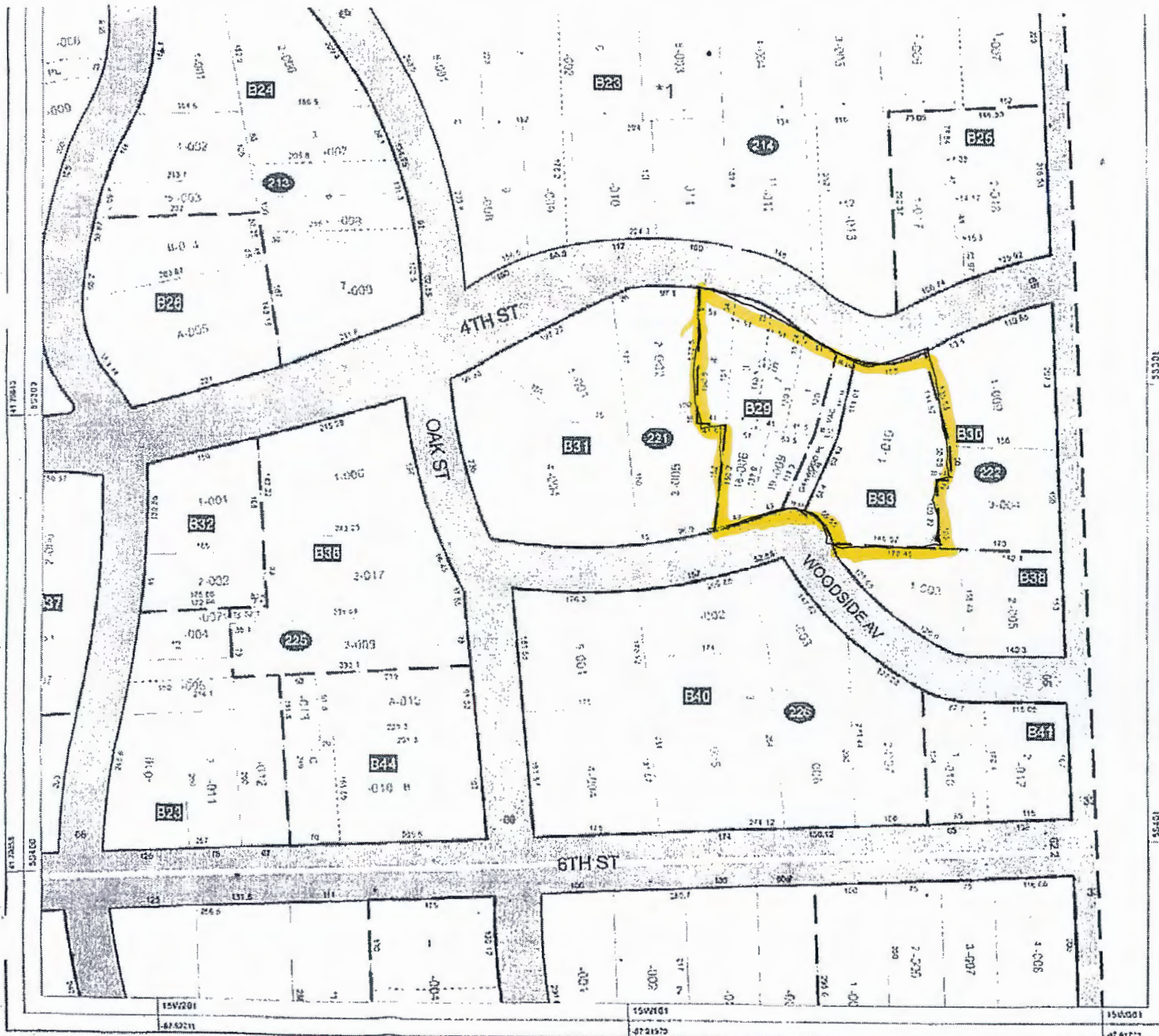
| | |
|---------------------------|-----------------------|
| PIN | 0912222010 |
| Bill Name | BOUSQUETTE, MATTHEW C |
| Property Number | 448 |
| Property Street Direction | E |
| Property Street Name | 4TH ST |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|---------------|
| PIN | 0912226002 |
| Bill Name | REEDY, MARY M |
| Property Number | 424 |
| Property Street Direction | E |
| Property Street Name | WOODSIDE AVE |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |

| | |
|---------------------------|------------------|
| PIN | 0912226003 |
| Bill Name | YERLIOGLU, BEN E |
| Property Number | 440 |
| Property Street Direction | |
| Property Street Name | WOODSIDE AVE |
| Property Apartment | |
| Property City | HINSDALE |
| Property Zip | 60521 |



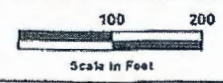
enclousing info are dark belonging to petitioners



Gary A. King
DuPage County Clerk

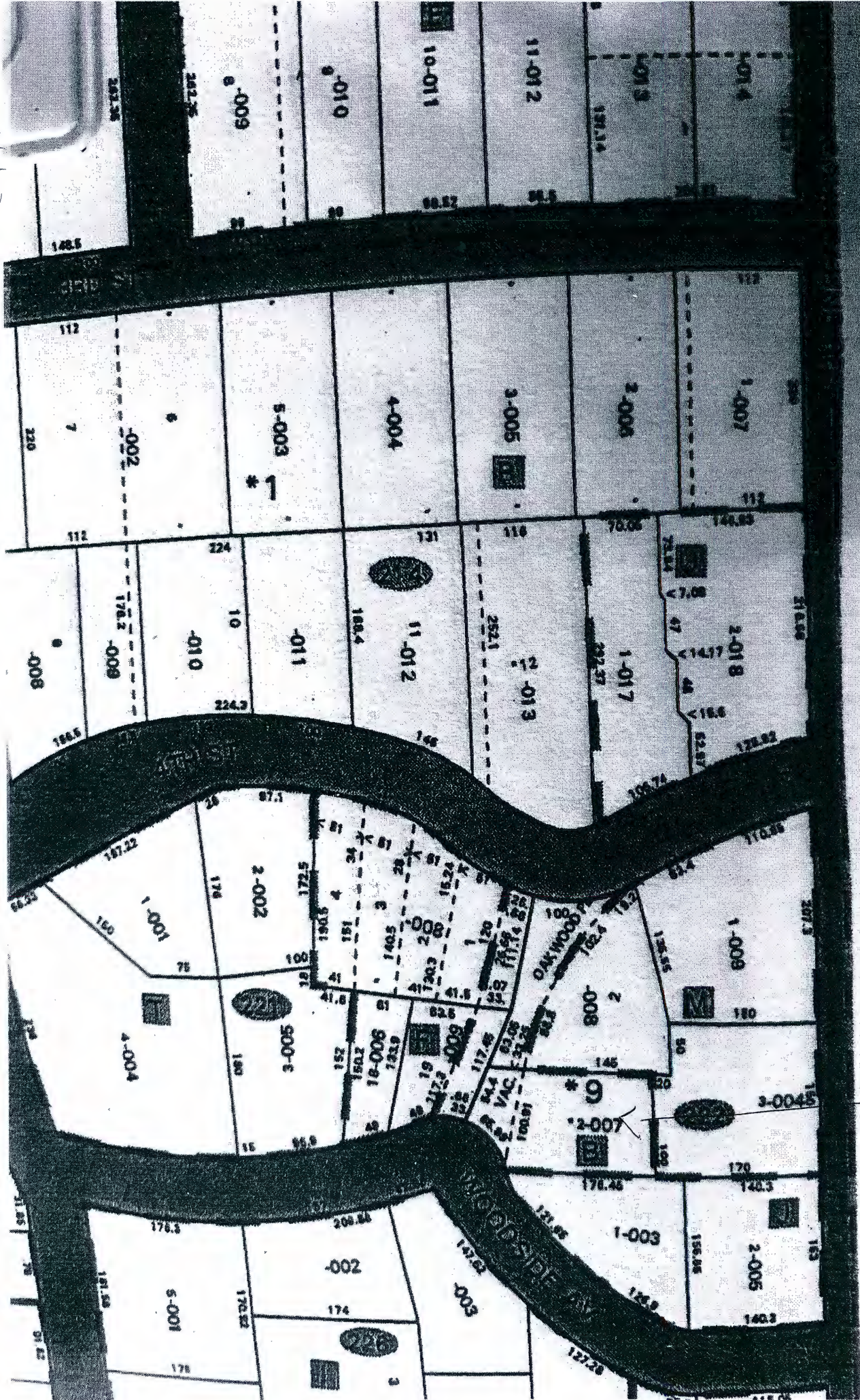
421 N. County Farm Rd.
Wheaton, IL 60187
630.407.5500

This map created for assessment purposes only. Refer to recorded
plats and deeds for legal descriptions and property dimensions.
Copyright 2012 - The County of DuPage, Illinois.



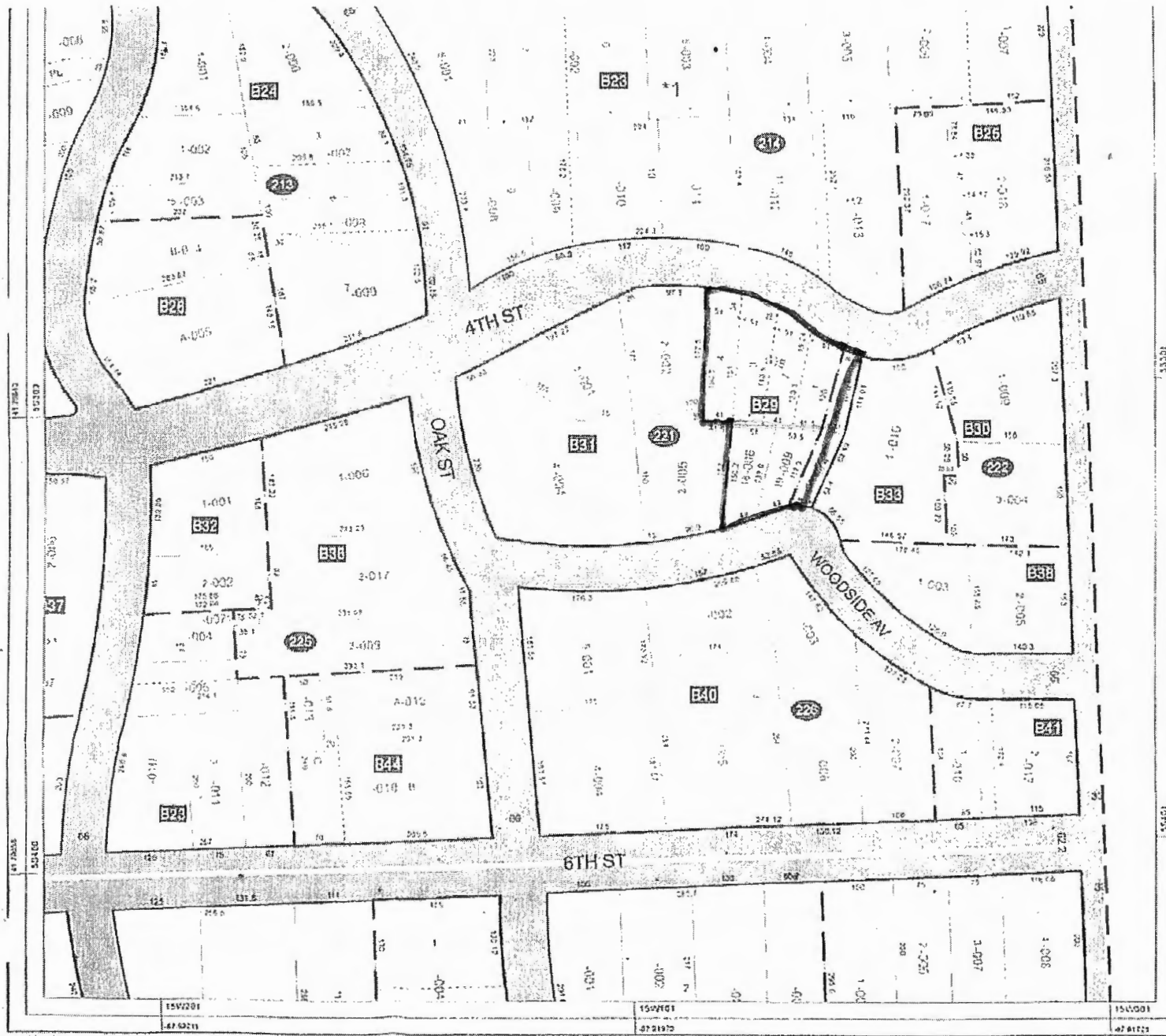
9-1D-E
9-12B-E
9-12D-E

Cook



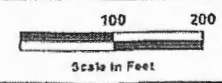
445 Woodside Former Residence

2411711 1211112



Gary A. King
DuPage County Clerk
421 N. County Farm Rd.
Wheaton, IL 60187
630.407.5500

This map created for assessment purposes only. Refer to recorded
plats and deeds for legal descriptions and property dimensions.
Copyright 2012 - The County of DuPage, Illinois.



9-1D-E
9-12B-E
9-12D-E
M-12B-W
Cock

Exhibit D

Existing Zoning

Property is zoned R-1 Single Family District

Hinsdale Zoning Code Section 3-101:

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

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

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

Exhibit E

Conformity

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

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

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

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

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

Exhibit F

Standard for Variation

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

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

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

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

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

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

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

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

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

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

Would unduly increase the danger of flood or fire

Would unduly tax public utilities and facilities in the area

Would endanger the public health and safety.

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

Exhibit G

No Other Remedy

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

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

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

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

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



MEMORANDUM

DATE: February 8, 2017

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

CC: Christine Bruton, Village Clerk

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

RE: **Zoning Variation – V-01-17; 26 E. 6th Street**

In this application for variation, the applicant requests relief from the minimum lot area set forth in Section 10-105: Legal Non-Conforming Lots of Record. The specific request is for 400' square feet of relief. The Zoning Board of Appeals (ZBA) has the authority to grant up to a 10% reduction in lot area under the provisions set forth in Section 11-503(E)(1)(c).

The intention of the applicant is to obtain the relief required in order to meet the minimum standards set forth in Section 10-105 in order to break out two of the underlying lots of record and construct a new single family home on lots 13 & 14 as indicated on the attached Plat of Survey. An address has not been assigned to this lot yet, but in the event the ZBA grants the requested relief, the property will likely be assigned an address of 22 E. 6th Street.

This property is located in the R4 Residential Zoning District in the Village of Hinsdale and is located on the south side of 6th Street between Garfield and Washington. The property has a frontage of approximately 100' feet, a depth of approximately 132' feet, and a total square footage of approximately 13,200'. The maximum FAR is .24 plus 1,200' or 4,368' square feet, the maximum building coverage is 25% or 3,300' square feet, and the maximum total lot coverage is 50% or 6,600' square feet.

cc: Kathleen Gargano, Village Manager
Zoning file V-01-17

Zoning Calendar No. V-01-17

VILLAGE OF HINSDALE
APPLICATION FOR VARIATION

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

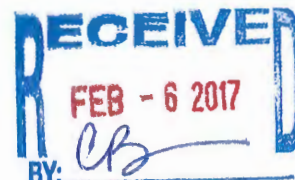
FILING FEES: RESIDENTIAL VARIATION \$850.00

NAME OF APPLICANT(S): Janice P. MacLeod

ADDRESS OF SUBJECT PROPERTY: Pin # 0912304-008, DuPage County, IL
The property will be assigned an address of 22 W. 6th St, Hinsdale, IL 60521
TELEPHONE NUMBER(S): [REDACTED]

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

DATE OF APPLICATION: February 6, 2017



SECTION I

Please complete the following:

1. **Owner.** Name, address, and telephone number of owner: Janice P. MacLead,
[REDACTED] as independent
executor and on behalf of estate of Vincent J. Petrovski
2. **Trustee Disclosure.** In the case of a land trust the name, address, and telephone number of all trustees and beneficiaries of the trust: Exhibit #1
3. **Applicant.** Name, address, and telephone number of applicant, if different from owner, and applicant's interest in the subject property: N/A
4. **Subject Property.** Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) Expect to have an address of 22 E. 6th
St, Hinsdale, assigned to the property. Exhibit #2
5. **Consultants.** Name and address of each professional consultant advising applicant with respect to this application:
 - a. Attorney: Robert O'Donnell 14044 W. Petronella Dr. #1,
 - b. Engineer: Libertyville, IL 60048
 - 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. Luke Stifflear, 128 N. Garfield, Hinsdale, has a purchase contract on the Property, contingent upon the granting of the requested variance

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. Exhibit #3

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. Exhibit #4

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. Exhibit #5

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. Exhibit #6

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. Exhibit #7

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.

N/A

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:

Exhibit #8

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.)

To reduce total required lot area for legal nonconforming from 7000 sq. ft to 6600 sq. ft. ZBA has the authority to grant a variance up to 700 sq. ft. (10%) for lot area. After which, a code compliant single family home will be constructed

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.)

400 sq ft as 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:

(Exhibit 6)

- (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 construct a new home on this legal non-conforming lot. Other lots in this area of the village are under 7,000 sq. ft, but had existing structures on them - Authority to Continue, Section 10-104 Precode Structures

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: Janice P. MacLeod, as independent executor
and on behalf of the estate of Vincent
J. Petrovski

Signature of Owner: Janice P. MacLeod

Name of Applicant: Janice P. MacLeod, as independent executor
and on behalf of the estate of Vincent
J. Petrovski

Signature of Applicant: Janice P. MacLeod

Date: 2/6/17

Exhibit #1

LETTER OF OFFICE - DECEDENT'S ESTATE

3705 (Rev 6/14)

STATE OF ILLINOIS UNITED STATES OF AMERICA COUNTY OF DU PAGE
IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT

IN RE THE ESTATE OF

2016 P 605

CASE NUMBER

VINCENT J. PETROVSKI
DECEASED

LETTER OF OFFICE
DECEDENT'S ESTATE

FILED
16 JUL -7 AM 8:33
CLERK OF THE
18TH JUDICIAL CIRCUIT
DU PAGE COUNTY, ILLINOIS
File Stamp Here

JANICE MACLEOD

has been appointed INDEPENDENT EXECUTOR of the
estate of VINCENT J. PETROVSKI, deceased
who died 01/10/2016, and is authorized to take possession of and collect the estate of the decedent, and to do
all acts required of HER by law, pursuant to order of Court entered 07/05/2016
by Judge ROBERT G. GIBSON.

WITNESS: CHRIS KACHIROUBAS, Clerk of the Eighteenth
Judicial Circuit Court, and the seal thereof, Wheaton, Illinois



JULY 7, 2016

Date

Chris Kachroubas
Clerk of the Eighteenth Judicial Circuit

CERTIFICATE

I certify that this is a copy of the Letters of
Office now in force and effect on this date in
this estate

Name: EILEEN R. FITZGERALD
DuPage Attorney Number: 2190
Attorney for: PETITIONER
Address: 1561 WARREN AVENUE
City/State/Zip: DOWNERS GROVE, IL 60515
Telephone Number: (630) 493-4380

CLERK OF THE
18TH JUDICIAL CIRCUIT COURT

2016 JUL -7 A 8:37

Chris Kachroubas
SEAL/SIGNATURE

CHRIS KACHIROUBAS, CLERK OF THE 18TH JUDICIAL CIRCUIT COURT ©
WHEATON, ILLINOIS 60187-0707

Exhibit #2

Lots 13 and 14 in block 1 of Gretchell's resubdivision of blocks 1, 2, 3, 4, 11 and 12 (except lots 1 and 2 in said block 3) in center addition to Hinsdale, in the north half of the south west quarter of section 12, township 38 north, range 11, east of the third principal meridian, in DuPage County, IL

Exhibit 3 – Addresses of lots within 250 ft.

| | |
|-------------------------------|----------------------|
| 1. 632 S. Garfield | Stock |
| 2. 605 S. Garfield | Avra Properties Fund |
| 3. 617 S. Garfield | Bolenbaugh |
| 4. 620 S. Garfield | Ambrose |
| 5. 616 S. Garfield | Mead |
| 6. 612 S. Garfield | Julian |
| 7. 606 S. Garfield | Ma |
| 8. 602 S. Garfield | McLaughlin |
| 9. 513 S. Garfield | Geiersbach |
| 10. 514 S. Garfield | Winterfield |
| 11. 518 S. Garfield | Sawyer |
| 12. 25 E. Sixth St. | Douglass |
| 13. 18 E. Sixth St. | Wright |
| 14. 21 E. Sixth St. | Read |
| 15. 14 E. Sixth St. | Sliva |
| 16. 13 E. Sixth St. | Kratas |
| 17. 4 E. Sixth St. | Healy |
| 18. 517 S. Washington | Ruge |
| 19. 513 S. Washington | Martin |
| 20. 507 S. Washington | Weldon |
| 21. 617 S. Washington | Cuthbert |
| 22. 615 S. Washington | George |
| 23. 611 S. Washington | Kenna |
| 24. 607 S. Washington | Kenna |
| 25. 14 E. 5 th St. | Savickas |
| 26. 20 E. 5 th St. | Murphy |
| 27. 26 E. 5 th St. | Pesoli |
| 28. 30 E. 5 th St. | Dolci |
| 29. 36 E. 5 th St. | Gleason |
| 30. 25 Ulm | Walsh |
| 31. 28 Ulm | Chen |
| 32. 21 Ulm | Muehlhauser |
| 33. 17 Ulm | MBC Homes LLC |
| 34. 22 Ulm | Moore |
| 35. 13 Ulm | M & R Hinsdale LLC |
| 36. 16 Ulm | Towery |

EXHIBIT #5 – Conformity

The subject Property is 50 ft. wide and 132 ft. with a total lot area of 6600 sq. ft. According to Section 10-105 of the Village of Hinsdale Zoning Code, Legal Nonconforming Lots of Record shall have a minimum total lot area of 7000 sq. ft. for the R-4 District. The Subject Property is 400 sq. ft. shy of the 7000 sq. ft. minimum lot area, but the Code grants the Zoning Board of Appeals, under Section 11-503(E.)(1c), the authority to grant a variation to reduce, by not more than 10% (700 sq. ft.) the required lot area of any lot.

The variance request detailed herein should be approved for the following reasons:

- the variance request is minor (approximately 6%)
- The denial of a variance would create an under financial hardship on the owner (the Property is worth materially less money if it is not buildable)
- The variance is not out of context of the neighborhood. Many properties in the South West quadrant of the Village are less than 7000 sq. ft., but continue to be used and have new homes built on them. Granting this variance, which would allow a new single family home to be constructed which is consistent with existing practices in the Village, and specifically this neighborhood.
- The variance request is consistent with the development of high quality residential districts and neighborhoods.

EXHIBIT #6 – Standards for Variation

The subject vacant lot is 50 ft. wide by 132 ft. deep and has a total lot are of 6600 sq. ft. To the best of our knowledge with diligent research, the lot has never had a building on it. The subject lot lies in the R4 Zoning District. The R4 district provides for Legal Non-Conforming lots of Record that are a minimum of 50 ft. wide, 100 ft. deep and have a minimum lot area of 7000 sq. ft. While land owners routinely build new homes that do not meet the minimum requirements cited above, these are tear-downs where Section 10-104 provides these lots may be rebuilt even if they do not meet all the requirements of Legal Non- Conforming. Since there was never a building on the subject lot it must meet all the requirements for a Legal Non-Conforming Lot. While the Village routinely issues permits for new Single Family Homes to be built that are equal to or smaller than the subject lot, these properties previously had buildings on the lot which allow them to be re-built without seeking a variation. As a result, single family homes are routinely built on lots of this size or smaller, but the ZBA likely has not seen this type of variance request.

This variance request is not only within the “spirit” of the Code, it is also within the general practice of the Village permitting process. Many new construction homes on lots less than 7000 sq. ft. are often in the R4 District in the South West quadrant of the Village (as is the subject lot). The subject property has a lot area of 6600 sq. ft. versus a required minimum of

7000. However, the Code provides the Zoning Board of Appeals, under Section 11-503 (E) (1c), the authority to grant a variation to reduce, by not more than 10% (700 sq. ft.) the required lot area of any lot.

- (a) **Unique Physical Conditions** – The Property was originally subdivided in 1888, well over a century before requirements of our Code were adopted.
- (b) **Not Self-Created** – The unique condition of the property (less than 7000 sq. ft. lot area) existed at the time of the enactment of the provisions from which this variation is sought.
- (c) **Denied Substantial Rights** – if not granted, the owner would not be allowed to construct a home on the property. This would deprive the owner of rights enjoyed by other property owners with the exact same property characteristics (or even smaller lots).
- (d) **Not Merely Special Privilege** – ability to construct a single family home, in a single family district, where other residents with even smaller lots have been afforded the right is NOT a special privilege.
- (e) **Code and Plan Purposes** – granting the requested variation is in the general spirit of the Code (constructing Single Family homes in Residential districts) and is consistent with 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

The requested variation would not have a negative impact on any aspect of the questions outlined in (f) 1-6; rather new construction on this lot will be consistent with the neighborhood which has seen newly constructed homes on 50% of the lots in the past few years.

(g) **No Other Remedy** – There is no other means to construct a single family home on this Property without the requested variance. Lack of relief on this matter would be inconsistent with treatment of other property owners with smaller lot sizes that have been permitted to build single family homes, and would be a denial of the Property owners substantial rights commonly enjoyed by owners of other lots of the same or less size.



SURVEY NUMBER: 1611.2604

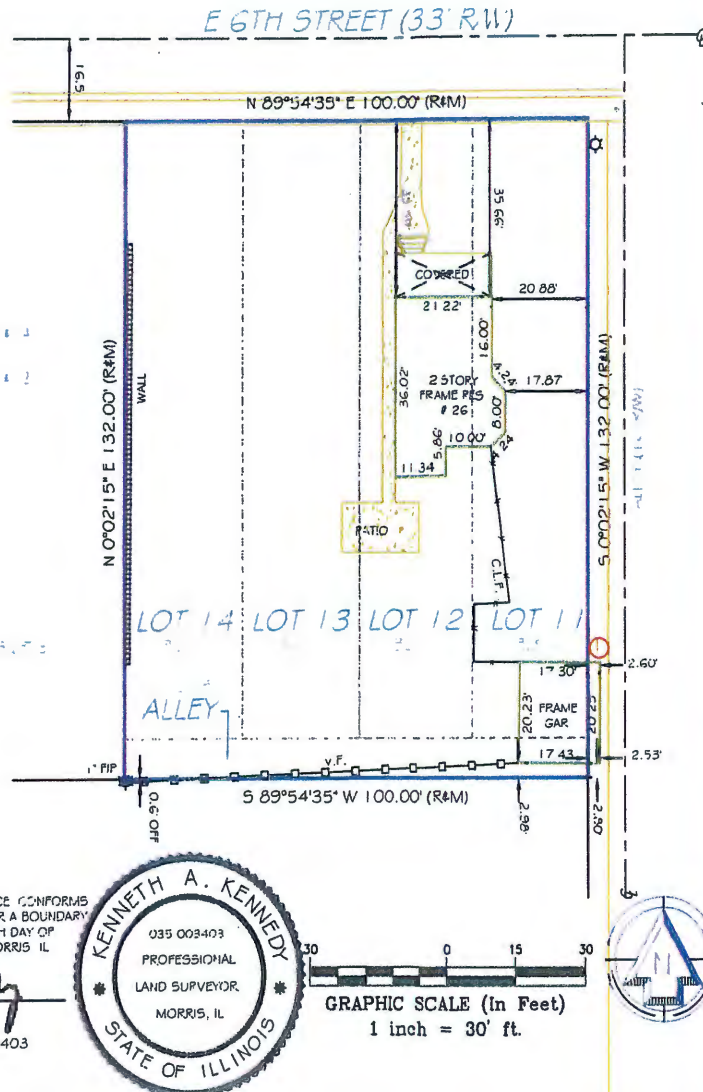
REVISION DATE(S): (REV 2 1/12/2017) (REV.2 1/9/2017) (REV 1 11/30/2016)

16112604

BOUNDARY SURVEY

DUPAGE COUNTY

LOTS 11, 12, 13 AND 14 IN BLOCK 1 OF GETCHELL'S RESUBDIVISION OF BLOCKS 1, 2, 3, 4, 11 AND 12 (EXCEPT LOTS 1 AND 2 IN SAID BLOCK 3) IN CENTER ADDITION TO HINSDALE, IN THE NORTH HALF OF THE SOUTH WEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



STATE OF ILLINOIS } ss
COUNTY OF GRUNDY }

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS
TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY
SURVEY, GIVEN UNDER MY HAND AND SEAL THIS 29TH DAY OF
NOVEMBER, 2016 AT 316 E. JACKSON STREET IN MORRIS IL
60450

Kenneth Kennedy

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3403
 LICENSE EXPIRES 11/30/2018
 EXACTA LAND SURVEYORS LB# 5763

THE ABOVE SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE OR MADE OF THIS PLAT ALONE. PLEASE REFER TO THE CITY OF CHICAGO, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE NUMBER IN THE BOTTOM RIGHT CORNER

CLIENT NUMBER:

DATE: 11/30/2016

BUYER:

SELLER:

CERTIFIED TO:

POINTS OF INTEREST

1. RESIDENCE OVER PROPERTY LINE

THE *cara* PROGRAM
transitioning lives

E=ACTA

LB# 184005763

www.exactachicago.com
P: (773) 305-4010 • F: (773) 305-4011
316 East Jackson Street, Morris, IL 60450

LEGAL DESCRIPTION:

LOTS 11, 12, 13 AND 14 IN BLOCK 1 OF GETCHELL'S RESUBDIVISION OF BLOCKS 1, 2, 3, 4, 11 AND 12 (EXCEPT LOTS 1 AND 2 IN SAID BLOCK 3) IN CENTER ADDITION TO HINSDALE, IN THE NORTH HALF OF THE SOUTH WEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

JOB SPECIFIC SURVEYOR NOTES:

SURVEYOR BEARINGS ARE USED FOR ANGULAR REFERENCE AND ARE USED TO SHOW ANGULAR RELATIONSHIPS OF LINES ONLY AND ARE NOT RELATED OR ORIENTATED TO TRUE OR MAGNETIC NORTH. BEARINGS ARE SHOWN AS SURVEYOR BEARINGS, AND WHEN SHOWN AS MATCHING THOSE ON THE SUBDIVISION PLATS ON WHICH THIS SURVEY IS BASED, THEY ARE TO BE DEEMED NO MORE ACCURATE AS THE DETERMINATION OF A NORTH ORIENTATION MADE ON AND FOR THOSE ORIGINAL SUBDIVISION PLATS. NORTH 0 DEGREES EAST IS ASSUMED AND UPON PREPARATION OF THIS PLAT, THE RESULTING BEARING BETWEEN FOUND POINTS AS SHOWN ON THIS SURVEY IS THE BASIS OF SAID SURVEYOR BEARINGS AS DEFINED AND REQUIRED TO BE NOTED BY ILLINOIS ADMINISTRATIVE CODE TITLE 68, CHAPTER 12, SUBCHAPTER b, PART 1270, SECTION 1270.56, PARAGRAPH b, SUBPARAGRAPH 6, ITEM K.

GENERAL SURVEYOR NOTES:

- The Legal Description used to perform this survey was supplied by others. The survey does not determine or imply ownership.
- This survey only shows improvements found above ground. Underground footings, utilities and encroachments are not located on this survey map.
- If there is a septic tank, well or drain field on this survey, the location of such items was shown to us by others and are not verified.
- This survey is exclusively for the use of the parties to whom it is certified.
- Any additions or deletions to this 2 page survey document are strictly prohibited.
- Dimensions are in feet and decimals thereof.
- Due to varying construction standards, house dimensions are approximate.
- Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain such data was performed at www.fema.gov.
- All pins marked as set are 5/8 diameter, 18" iron rebar.
- An examination of the abstract of title was not performed by the signing surveyor to determine which instruments, if any, are affecting this property.
- Points of Interest (POI's) are selected above-ground improvements which may be in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, not called-out as POI's, or which are otherwise unknown to the surveyor. These POI's do not represent all items of interest to the viewer.
- Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
- The information contained on this survey has been performed exclusively, and is the sole responsibility, of Exacta Surveyors. Additional logo or references to third party firms are for informational purposes only.
- House measurements should not be used for new construction or planning. Measurements should be verified prior to such activity.

LEGEND:

SURVEYOR'S LEGEND

| | | | | | | | |
|---|--|-------------------------|---------------------------|-----------------------|-----------------------|----------------|--------------------|
| LINE TYPES - (VALUES OTHERWISE NOTED) | | AIR CONDITIONING | | IDENTIFICATION | | SECTION | |
| BOUNDARY LINE | | BL | BEARING REFERENCE | BL | ELIGIBLE | SEPT | SEPTIC TANK |
| STRUCTURE | | BC | BLOCK CORNER | BNY | INTERSECT | SEVK | SEWER |
| CENTERLINE | | B.P.F. | BLOCK PREVENTOR | INT. | INTERSECTION | SHOD | SHY GULCH DISC |
| CHAINLINE OR WIRE FENCE | | BL | BLOCK | LEN | LENGTH | SIG | SET BACK FOR A GAP |
| BASEMENT | | BLD | BUILDING | LBR | LICENSE # - FURNISHED | SHAD | SET BACK DISC |
| EDGE OF WATER | | BM | BENCHMARK | LBR | LICENSE # - SURVEYOR | SHAD | SQUARE FEET |
| IRON FENCE | | BLD | BUILDING RESTRICTION LINE | ME | MEASURED | STY | STORY |
| OVERHEAD LINES | | BLD | BUILDING | M.B. | MAP BOOK | STL | SURVEY LINE |
| SURVEY TIE LINE | | BLD | BUILDING | M.E.S. | METERED END SECTION | SV | SEWER VALVE |
| WALL OR PARTY WALL | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| WOOD FENCE | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| VINYL FENCE | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| SURFACE TYPES - (VALUES OTHERWISE NOTED) | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| ASPHALT | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| CONCRETE | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| WATER | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| SYMBOLS - (VALUES OTHERWISE NOTED) | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| BOUNDARY MARK | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| CENTERLINE | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| COMMON OWNERSHIP | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| CONTROL POINT | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| CONCRETE MONUMENT | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| CATCH BASIN | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| ELEVATION | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| PIPE HYDRANT | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| PIED OR SET MONUMENT | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| QUAYWALL OR ANCHOR | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| MANHOLE | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| TREE | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| UTILITY OR LIGHT POLE | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |
| WELL | | BLD | BUILDING | M.F. | METAL FENCE | SW | SEWAGE |

ELECTRONIC SIGNATURE:

In order to "Electronically Sign" all of the PDFs sent by STARS, you must use a hash calculator. A free online hash calculator is available at www.exacta.com. To Electronically Sign any survey PDF 1 Save the PDF onto your computer 2 Use the online tool at www.exacta.com to browse for the saved PDF on your computer. 3 Select the Hash Method as SHA 4 Click Submit. Your PDF is electronically signed if all of the characters in the SHA-1 code submitted by STARS matches the code which is produced by the hash calculator. If they match exactly, your PDF is electronically signed. If the codes do not match exactly, your PDF is not authentic.

PRINTING INSTRUCTIONS:

- While viewing the survey in Adobe Reader, select the "Print" button under the "File" tab.
 - Select a printer with legal sized paper.
 - Under "Print Range", click select the "All" toggle.
 - Under the "Page Handling" section, select the number of copies that you would like to print.
 - Under the "Page Scaling" section drop down menu, select "None."
 - Uncheck the "Auto Rotate and Center" checkbox.
 - Check the "Choose Paper size by PDF" checkbox.
 - Click OK to print.
- TO PRINT IN BLACK & WHITE:
- In the main print screen, choose "Print as Black & White".
 - Choose "Quality" from the options.
 - Change the "Print Color" or "Full Color" to "Gray Scale".

OFFER VALID ONLY FOR THE BUYERS LISTED ON THE FIRST PAGE OF THIS SURVEY:

EXACTA

25% off
(UP TO \$500)

FUTURE SURVEYING SERVICES ON THIS PROPERTY

Offer valid only for the buyer as listed on the first page of this survey. Total discount not to exceed \$500. Coupon expires 2 years from the date of issuance.

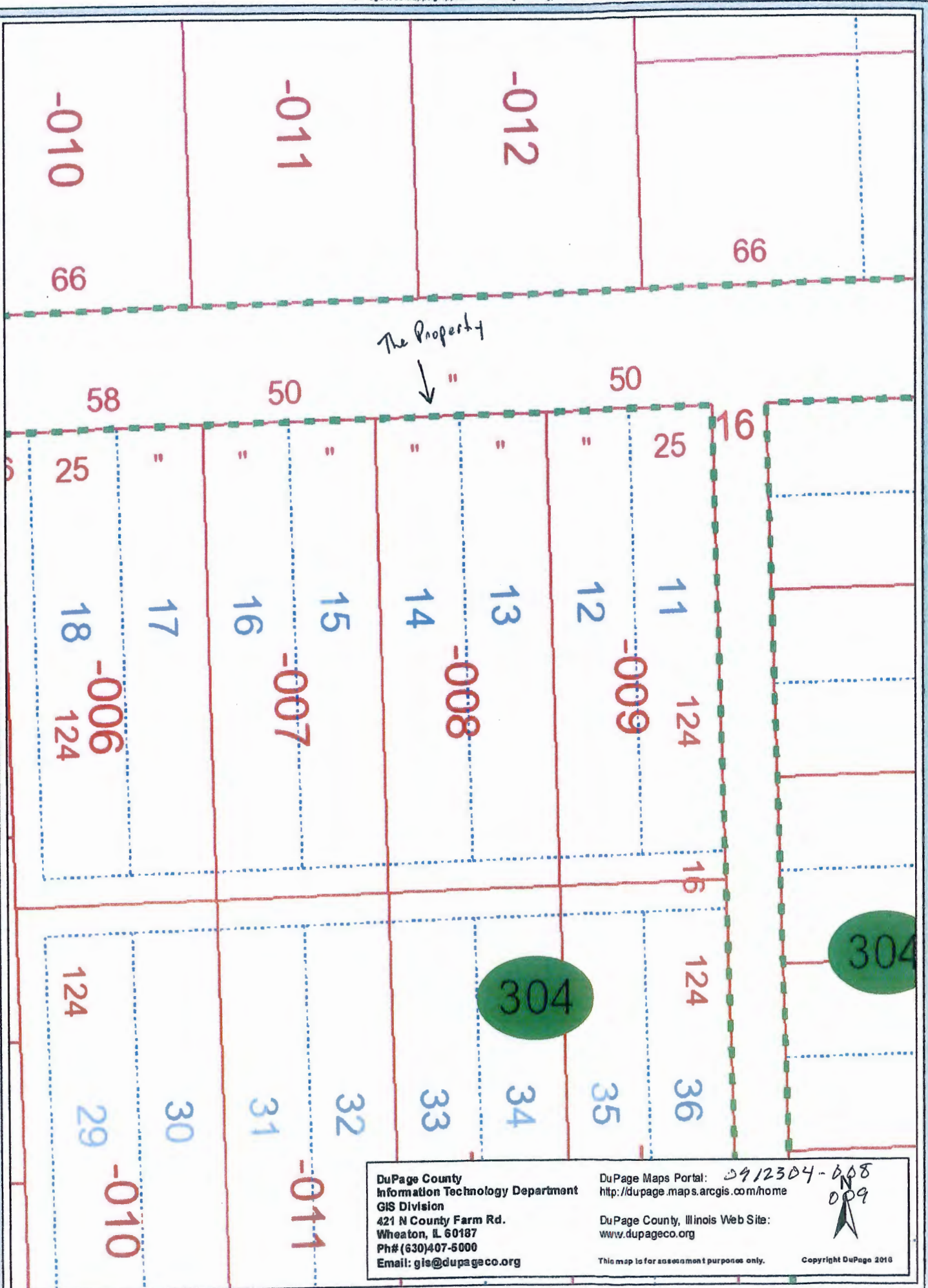


Exhibit # 5

Existing Zoning

Property is zoned R-4 Single-Family District. Areas to the west, south and north is zoned R-4. Area to the east (across Garfield) are zoned R-1.

Hinsdale Zoning Code Section 3-101: Purposes

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

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

Exhibit #6

Conformity

The subject property is 50 x 132 with a total lot area of 6,600 sq. ft. According to Section 10-105 of the Village of Hinsdale Zoning Code, Legal Nonconforming Lots of Record shall have a minimum total lot area of 7,000 sq. ft. for the R-4 District. The subject property is 400 sq. ft. shy of the 7,000 sq. ft. minimum lot area, but the code grants the Zoning Board of Appeals, under Section 11-503(E.) (1C), the authority to grant a variation to reduce by not more than 10% (700 sq. ft.), the required lot area of any lot.

The variation request detailed herein should be approved for the following reasons:

- The variance request is minor (less than 10%)
- The lack of a variance would create a financial hardship on the owner, (the Property is worth materially less money if it is not build-able)
- The variance is not out of context with the neighborhood
- The variance request is consistent with the development of high quality residential districts

EXHIBIT #7 Standards for Variation

The subject vacant lot is 50 ft. wide by 132 ft. deep and has a total lot area of 6600 sq. ft. To the best of our knowledge with diligent research, the lot has never had a building on it. The subject lot lies in the R4 Zoning District. The R4 district provides for Legal Non-Conforming lots of Record that are a minimum of 50 ft. wide, 100 ft. deep and have a minimum lot area of 7000 sq. ft. While land owners routinely build new homes that do not meet the minimum requirements cited above, these are tear-downs where Section 10-104 provides these lots may be rebuilt even if they do not meet all the requirements of Legal Non-Conforming. Since there was never a building on the subject lot it must meet all the requirements for a Legal Non-Conforming Lot. While the Village routinely issues permits for new Single Family Homes to be built that are equal to or smaller than the subject lot, these properties previously had buildings on the lot which allow them to be re-built without seeking a variation. As a result, single family homes are routinely built on lots of this size or smaller, but the ZBA likely has not seen this type of variance request.

This variance request is not only within the "spirit" of the Code, it is also within the general practice of the Village permitting process. Many new construction homes on lots less than 7000 sq. ft. are often in the R4 District in the South West quadrant of the Village (as is the subject lot). The subject property has a lot area of 6600 sq. ft. versus a required minimum of 7000. However, the Code provides the Zoning Board of Appeals, under Section 11-503 (E) (1c), the authority to grant a variation to reduce, by not more than 10% (700 sq. ft.) the required lot area of any lot.

- (a) **Unique Physical Conditions** – The Property was originally subdivided in 1888, well over a century before requirements of our Code were adopted.
- (b) **Not Self-Created** – The unique condition of the property (less than 7000 sq. ft. lot area) existed at the time of the enactment of the provisions from which this variation is sought.
- (c) **Denied Substantial Rights** – if not granted, the owner would not be allowed to construct a home on the property. This would deprive the owner of rights enjoyed by other property owners with the exact same property characteristics (or even smaller lots).
- (d) **Not Merely Special Privilege** – ability to construct a single family home, in a single family district, where other residents with even smaller lots have been afforded the right is NOT a special privilege.
- (e) **Code and Plan Purposes** – granting the requested variation is in the general spirit of the Code (constructing Single Family homes in Residential districts) and is consistent with 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

The requested variation would not have a negative impact on any aspect of the questions outlined in (f) 1-6; rather new construction on this lot will be consistent with the neighborhood which has seen newly constructed homes on 50% of the lots in the past few years.

(g) **No Other Remedy** – There is no other means to construct a single family home on this Property without the requested variance. Lack of relief on this matter would be inconsistent with treatment of other property owners with smaller lot sizes that have been permitted to build single family homes, and would be a denial of the Property owners substantial rights commonly enjoyed by owners of other lots of the same or less size.

Exhibit # 8

Ordinance Provision

Sec. 10-105: Legal Nonconforming Lots Of Record:

A. Authority To Use For Single-Family Detached Dwellings In Residential Districts: In any residential district, notwithstanding the regulations imposed by any other provisions of this code, a single-family detached dwelling, and any permitted accessory structure, that complies with the regulations of this subsection may be erected, maintained, altered, enlarged, rebuilt, restored, and repaired on a legal nonconforming lot of record. Construction of such dwelling, and any accessory structure, shall comply with all the regulations applicable to such dwellings and accessory structures in the zoning district in which the lot in question is located, except that the following requirements shall apply in place of requirements otherwise applicable:

2. Minimum Lot Area And Dimensions:

R-4 (a) Total lot area (square feet) 7,000

R4

North

R1

| | | | | | | | | | | |
|----|----|----|----|----|----|----|----|----|----|----|
| 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 |
| 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 417 | 418 | 419 | 420 | 421 | 422 | 423 | 424 | 425 | 426 | 427 |
| 428 | 429 | 430 | 431 | 432 | 433 | 434 | 435 | 436 | 437 | 438 |
| 439 | 440 | 441 | 442 | 443 | 444 | 445 | 446 | 447 | 448 | 449 |
| 450 | 451 | 452 | 453 | 454 | 455 | 456 | 457 | 458 | 459 | 460 |
| 461 | 462 | 463 | 464 | 465 | 466 | 467 | 468 | 469 | 470 | 471 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 472 | 473 | 474 | 475 | 476 | 477 | 478 | 479 | 480 | 481 | 482 |
| 483 | 484 | 485 | 486 | 487 | 488 | 489 | 490 | 491 | 492 | 493 |
| 494 | 495 | 496 | 497 | 498 | 499 | 500 | 501 | 502 | 503 | 504 |
| 505 | 506 | 507 | 508 | 509 | 510 | 511 | 512 | 513 | 514 | 515 |
| 516 | 517 | 518 | 519 | 520 | 521 | 522 | 523 | 524 | 525 | 526 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 527 | 528 | 529 | 530 | 531 | 532 | 533 | 534 | 535 | 536 | 537 |
| 538 | 539 | 540 | 541 | 542 | 543 | 544 | 545 | 546 | 547 | 548 |
| 549 | 550 | 551 | 552 | 553 | 554 | 555 | 556 | 557 | 558 | 559 |
| 560 | 561 | 562 | 563 | 564 | 565 | 566 | 567 | 568 | 569 | 570 |
| 571 | 572 | 573 | 574 | 575 | 576 | 577 | 578 | 579 | 580 | 581 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 582 | 583 | 584 | 585 | 586 | 587 | 588 | 589 | 590 | 591 | 592 |
| 593 | 594 | 595 | 596 | 597 | 598 | 599 | 600 | 601 | 602 | 603 |
| 604 | 605 | 606 | 607 | 608 | 609 | 610 | 611 | 612 | 613 | 614 |
| 615 | 616 | 617 | 618 | 619 | 620 | 621 | 622 | 623 | 624 | 625 |
| 626 | 627 | 628 | 629 | 630 | 631 | 632 | 633 | 634 | 635 | 636 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 637 | 638 | 639 | 640 | 641 | 642 | 643 | 644 | 645 | 646 | 647 |
| 648 | 649 | 650 | 651 | 652 | 653 | 654 | 655 | 656 | 657 | 658 |
| 659 | 660 | 661 | 662 | 663 | 664 | 665 | 666 | 667 | 668 | 669 |
| 670 | 671 | 672 | 673 | 674 | 675 | 676 | 677 | 678 | 679 | 680 |
| 681 | 682 | 683 | 684 | 685 | 686 | 687 | 688 | 689 | 690 | 691 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 692 | 693 | 694 | 695 | 696 | 697 | 698 | 699 | 700 | 701 | 702 |
| 703 | 704 | 705 | 706 | 707 | 708 | 709 | 710 | 711 | 712 | 713 |
| 714 | 715 | 716 | 717 | 718 | 719 | 720 | 721 | 722 | 723 | 724 |
| 725 | 726 | 727 | 728 | 729 | 730 | 731 | 732 | 733 | 734 | 735 |
| 736 | 737 | 738 | 739 | 740 | 741 | 742 | 743 | 744 | 745 | 746 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 747 | 748 | 749 | 750 | 751 | 752 | 753 | 754 | 755 | 756 | 757 |
| 758 | 759 | 760 | 761 | 762 | 763 | 764 | 765 | 766 | 767 | 768 |
| 769 | 770 | 771 | 772 | 773 | 774 | 775 | 776 | 777 | 778 | 779 |
| 780 | 781 | 782 | 783 | 784 | 785 | 786 | 787 | 788 | 789 | 790 |
| 791 | 792 | 793 | 794 | 795 | 796 | 797 | 798 | 799 | 800 | 801 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 802 | 803 | 804 | 805 | 806 | 807 | 808 | 809 | 810 | 811 | 812 |
| 813 | 814 | 815 | 816 | 817 | 818 | 819 | 820 | 821 | 822 | 823 |
| 824 | 825 | 826 | 827 | 828 | 829 | 830 | 831 | 832 | 833 | 834 |
| 835 | 836 | 837 | 838 | 839 | 840 | 841 | 842 | 843 | 844 | 845 |
| 846 | 847 | 848 | 849 | 850 | 851 | 852 | 853 | 854 | 855 | 856 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 857 | 858 | 859 | 860 | 861 | 862 | 863 | 864 | 865 | 866 | 867 |
| 868 | 869 | 870 | 871 | 872 | 873 | 874 | 875 | 876 | 877 | 878 |
| 879 | 880 | 881 | 882 | 883 | 884 | 885 | 886 | 887 | 888 | 889 |
| 890 | 891 | 892 | 893 | 894 | 895 | 896 | 897 | 898 | 899 | 900 |
| 901 | 902 | 903 | 904 | 905 | 906 | 907 | 908 | 909 | 910 | 911 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 912 | 913 | 914 | 915 | 916 | 917 | 918 | 919 | 920 | 921 | 922 |
| 923 | 924 | 925 | 926 | 927 | 928 | 929 | 930 | 931 | 932 | 933 |
| 934 | 935 | 936 | 937 | 938 | 939 | 940 | 941 | 942 | 943 | 944 |
| 945 | 946 | 947 | 948 | 949 | 950 | 951 | 952 | 953 | 954 | 955 |
| 956 | 957 | 958 | 959 | 960 | 961 | 962 | 963 | 964 | 965 | 966 |

Map
S
Rabbit
Park

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 601 | 602 | 603 | 604 | 605 | 606 | 607 | 608 | 609 | 610 | 611 |
| 612 | 613 | 614 | 615 | 616 | 617 | 618 | 619 | 620 | 621 | 622 |
| 623 | 624 | 625 | 626 | 627 | 628 | 629 | 630 | 631 | 632 | 633 |
| 634 | 635 | 636 | 637 | 638 | 639 | 640 | 641 | 642 | 643 | 644 |
| 645 | 646 | 647 | 648 | 649 | 650 | 651 | 652 | 653 | 654 | 655 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 656 | 657 | 658 | 659 | 660 | 661 | 662 | 663 | 664 | 665 | 666 |
| 667 | 668 | 669 | 670 | 671 | 672 | 673 | 674 | 675 | 676 | 677 |
| 678 | 679 | 680 | 681 | 682 | 683 | 684 | 685 | 686 | 687 | 688 |
| 689 | 690 | 691 | 692 | 693 | 694 | 695 | 696 | 697 | 698 | 699 |
| 700 | 701 | 702 | 703 | 704 | 705 | 706 | 707 | 708 | 709 | 710 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 711 | 712 | 713 | 714 | 715 | 716 | 717 | 718 | 719 | 720 | 721 |
| 722 | 723 | 724 | 725 | 726 | 727 | 728 | 729 | 730 | 731 | 732 |
| 733 | 734 | 735 | 736 | 737 | 738 | 739 | 740 | 741 | 742 | 743 |
| 744 | 745 | 746 | 747 | 748 | 749 | 750 | 751 | 752 | 753 | 754 |
| 755 | 756 | 757 | 758 | 759 | 760 | 761 | 762 | 763 | 764 | 765 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 766 | 767 | 768 | 769 | 770 | 771 | 772 | 773 | 774 | 775 | 776 |
| 777 | 778 | 779 | 780 | 781 | 782 | 783 | 784 | 785 | 786 | 787 |
| 788 | 789 | 790 | 791 | 792 | 793 | 794 | 795 | 796 | 797 | 798 |
| 799 | 800 | 801 | 802 | 803 | 804 | 805 | 806 | 807 | 808 | 809 |
| 810 | 811 | 812 | 813 | 814 | 815 | 816 | 817 | 818 | 819 | 820 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 821 | 822 | 823 | 824 | 825 | 826 | 827 | 828 | 829 | 830 | 831 |
| 832 | 833 | 834 | 835 | 836 | 837 | 838 | 839 | 840 | 841 | 842 |
| 843 | 844 | 845 | 846 | 847 | 848 | 849 | 850 | 851 | 852 | 853 |
| 854 | 855 | 856 | 857 | 858 | 859 | 860 | 861 | 862 | 863 | 864 |
| 865 | 866 | 867 | 868 | 869 | 870 | 871 | 872 | 873 | 874 | 875 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 876 | 877 | 878 | 879 | 880 | 881 | 882 | 883 | 884 | 885 | 886 |
| 887 | 888 | 889 | 890 | 891 | 892 | 893 | 894 | 895 | 896 | 897 |
| 898 | 899 | 900 | 901 | 902 | 903 | 904 | 905 | 906 | 907 | 908 |
| 909 | 910 | 911 | 912 | 913 | 914 | 915 | 916 | 917 | 918 | 919 |
| 920 | 921 | 922 | 923 | 924 | 925 | 926 | 927 | 928 | 929 | 930 |

| | | | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 931 | 932 | 933 | 934 | 935 | 936 | 937 | 938 | 939 | 940 | 941 |
| 942 | 943 | 944 | 945 | 946 | 947 | 948 | 949 | 950 | 951 | 952 |
| 953 | 954 | 955 | 956 | 957 | 958 | 959 | 960 | 961 | 962 | 963 |
| 964 | 965 | 966 | 967 | 968 | 969 | 970 | 971 | 972 | 973 | 974 |
| 975 | 976 | 977 | 978 | 979 | 980 | 981 | 982 | 983 | 984 | 985 |

| | | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|------|
| 986 | 987 | 988 | 989 | 990 | 991 | 992 | 993 | 994 | 995 | 996 |
| 997 | 998 | 999 | 1000 | 1001 | 1002 | 1003 | 1004 | 1005 | 1006 | 1007 |
| 1008 | 1009 | 1010 | 1011 | 1012 | 1013 | 1014 | 1015 | 1016 | 1017 | 1018 |
| 1019 | 1020 | 1021 | 1022 | 1023 | 1024 | 1025 | 1026 | 1027 | 1028 | 1029 |
| 1030 | 1031 | 1032 | 1033 | 1034 | 1035 | 1036 | 1037 | 1038 | 1039 | 1040 |

| | | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|------|
| 1041 | 1042 | 1043 | 1044 | 1045 | 1046 | 1047 | 1048 | 1049 | 1050 | 1051 |
| 1052 | 1053 | 1054 | 1055 | 1056 | 1057 | 1058 | 1059 | 1060 | 1061 | 1062 |
| 1063 | 1064 | 1065 | 1066 | 1067 | 1068 | 1069 | 1070 | 1071 | 1072 | 1073 |
| 1074 | 1075 | 1076 | 1077 | 1078 | 1079 | 1080 | 1081 | 1082 | 1083 | 1084 |
| 1085 | 1086 | 1087 | 1088 | 1089 | 1090 | 1091 | 1092 | 1093 | 1094 | 1095 |

| | | | | | | | | | | |
|------|------|------|------|------|------|------|------|------|------|------|
| 1096 | 1097 | 1098 | 1099 | 1100 | 1101 | 1102 | 1103 | 1104 | 1105 | 1106 |
| 1107 | 1108 | 1109 | 1110 | 1111 | 1112 | 1113 | 1114 | 1115 | 1116 | 1117 |
| 1118 | 1119 | 1120 | 1121 | 1122 | 1123 | 1124 | 1125 | 1126 | 1127 | 1128 |
| 1129 | 1130 | 1131 | 1132 | 1133 | 1134 | 1135 | 1136 | 1137 | 1138 | 1139 |
| 1140 | 1141 | 1142 | 1143 | 1144 | 1145 | 1146 | 1147 | 1148 | 1149 | 1150 |

Seventh

Street

Ulm Pl.

Fifth

Street

East

South

O'Donnell Haddad LLC

Robert T. O'Donnell
Deborah T. Haddad

14044 Petronella Drive
Suite 1
Libertyville, Illinois 60048

847-367-2750
Fax: 847-367-2758

Adam M. Kingsley
Adam J. Findlay
Richard S. Mittelman, P.C.

rodonnell@odonnell-lawfirm.com

March 9, 2017

Via Overnight UPS

Chairman Robert K. Neiman
Zoning Board of Appeals
19 East Chicago Avenue
Hinsdale, IL 60521-3431

Re: *Zoning Calendar V-01-17 – PIN 09-12-304-008, Hinsdale, Illinois*
Our File No. 1961.17-1011

Dear Chairman Nieman:

On March 15, 2017, the Zoning Board of Appeals will consider the application for variation for the property located on PIN No. 09-12-304-008.¹ While a complete application has been submitted, the purpose of this letter is to provide additional information which demonstrates that an approval of the application is in the spirit of the Village's Zoning Ordinance and in harmony with neighboring properties.

The subject property is located in central Hinsdale, at approximately the corner of 6th street and Garfield Street. It is zoned R-4 which, according to Section 3-101 of the Zoning Ordinance, is intended for higher density residential use and smaller lot sizes. The official 2016 Zoning Map for the Village of Hinsdale is attached as Exhibit A. The subject property has been identified on Exhibit A.

¹ The subject property is currently undeveloped and does not have an address, but is held in common ownership with PIN 09-12-304-009. Together, the properties have been referred to as 26 East 6th Street in Hinsdale, IL.

The subject property was originally platted in 1888. Historic aerial photographs of the subject property demonstrate it has been vacant since at least 1988. See Exhibit B, which is an aerial photograph from the DuPage County Parcel Viewer dated 1987.

Based on the forgoing, the subject property would meet the definition of a legal nonconforming lot, and therefore be eligible for development, if it had a total lot area of at least 7,000 square feet. The subject property is only 6,600 square feet and now seeks a variation of Section 10-105(A) for the difference of 400 square feet.

Currently, the subject property is the only vacant lot in the surrounding neighborhood. Granting a variation would ensure that the neighborhood maintains a uniform character and common appeal, by allowing the subject property to be developed with a residential use. Further, of the five (5) parcels adjacent to the subject property, each is developed with a single-family home and each is a lot of less than 7,000 square feet. A map from the DuPage County Parcel Viewer is attached as Exhibit C, which map includes lot dimensions for the subject property and the adjacent properties.

Moreover, development of parcels with lot sizes less than 7,000 square feet is common in similar neighborhoods within Hinsdale. A map of properties located in the southwest quadrant of Hinsdale is attached as Exhibit D. Each of the highlighted properties is less than 7,000 square feet. Significantly, each of the properties depicted on Exhibit D is within the R-4 zoning district. A cross-section of the 2016 Zoning Map, depicting all of the properties within Exhibit D, is attached as Exhibit E.

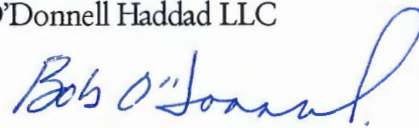
Finally, an analysis of ten (10), new-construction homes is attached as Group Exhibit F. Each of the homes was constructed in or after 2014 on lots less than 7,000 square feet. A cross-

Chairman Nieman
Zoning Board of Appeals
March 7, 2017
Page 3 of 3

section of the 2016 Zoning Map, showing all ten properties are within zoning district R-4, is attached as Exhibit G.

The information provided herein is intended to be demonstrative, rather than exhaustive. Beautiful homes on smaller lots are a characteristic component of Hinsdale's charm. Please consider these examples as you consider the application for variation at PIN No. 09-12-304-008.

Very truly yours,
O'Donnell Haddad LLC

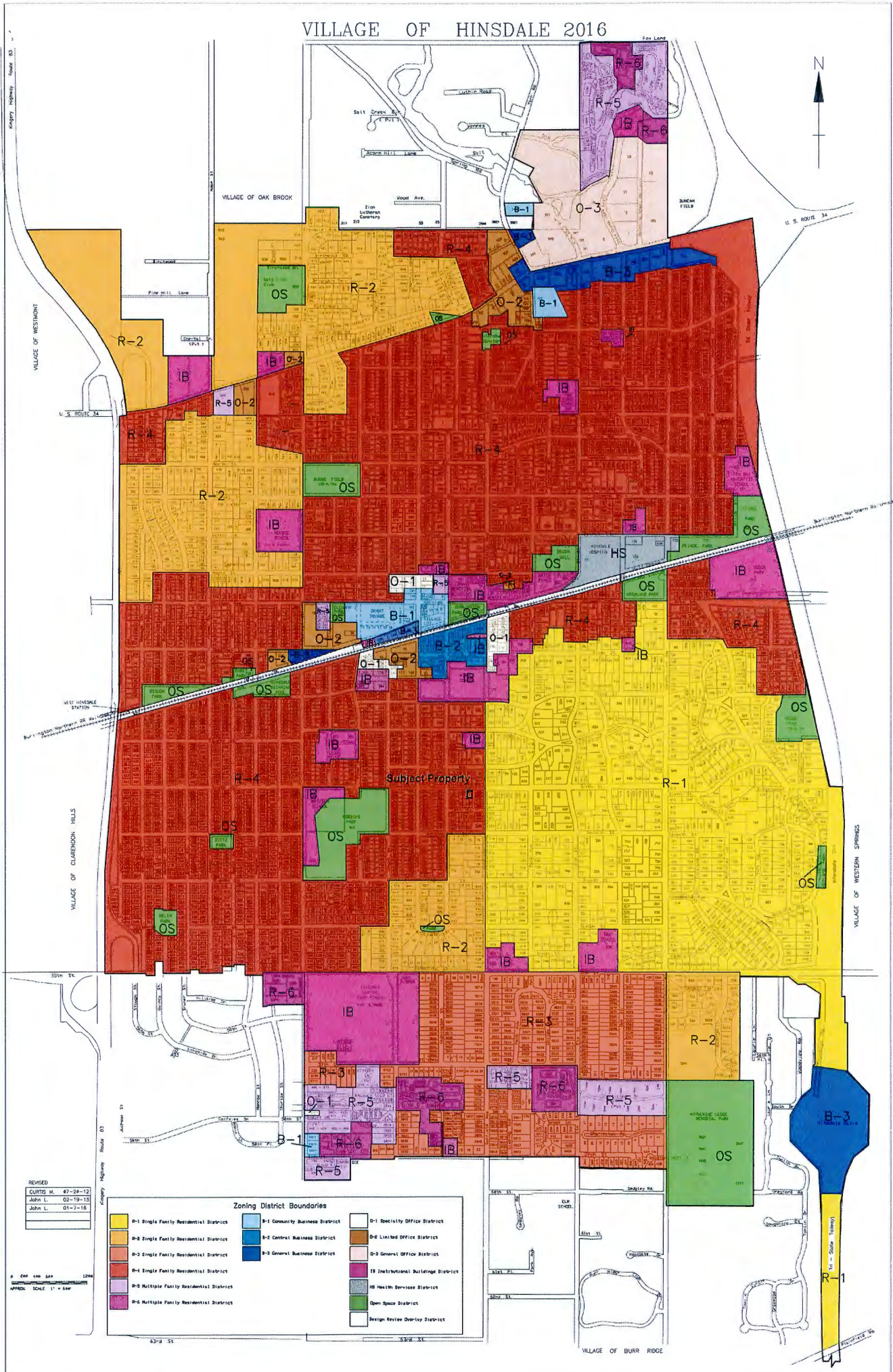


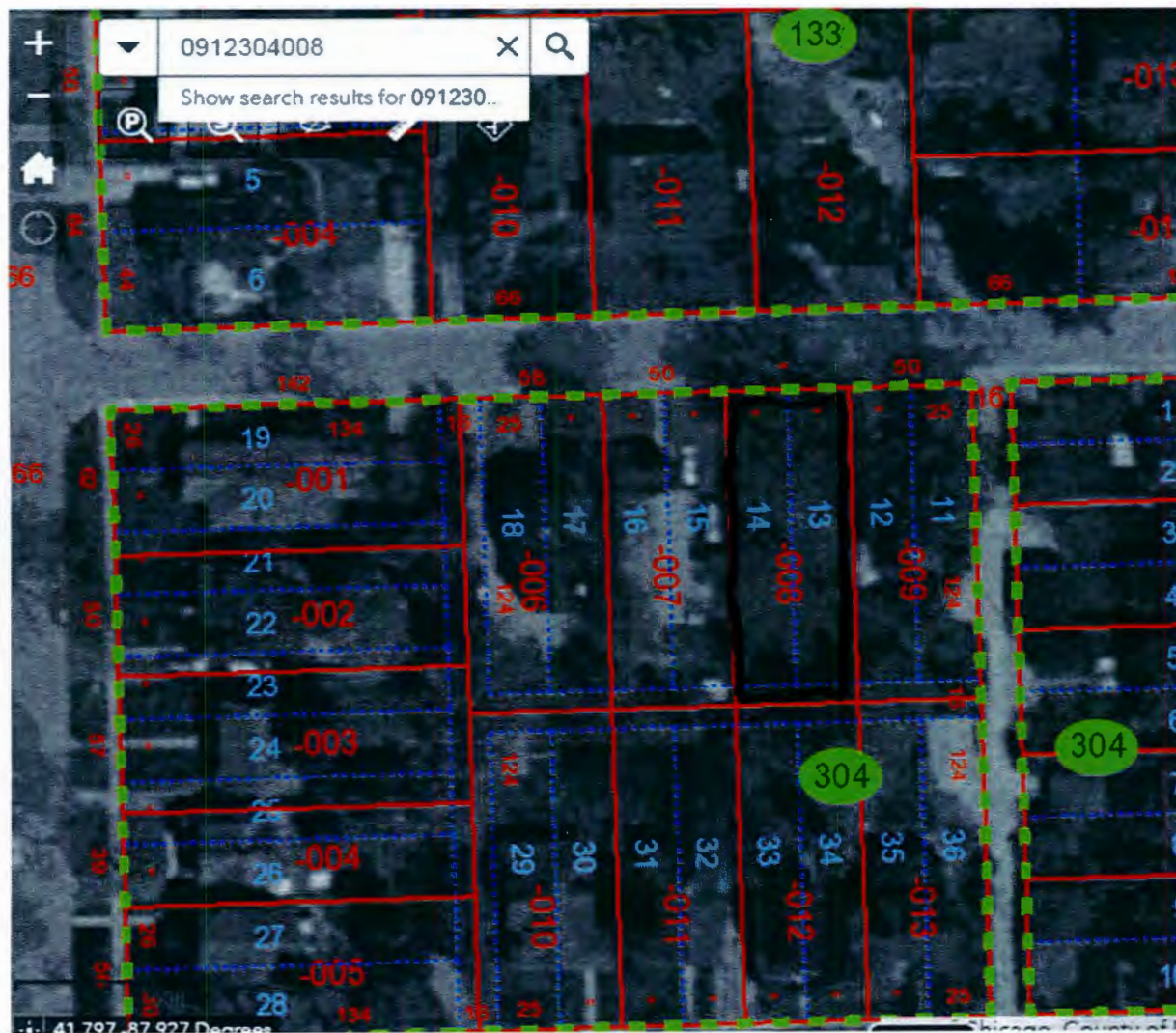
Robert T. O'Donnell

ROD/af

cc: Members of the Zoning Board of Appeals

VILLAGE OF HINSDALE 2016





Layer List

- ☐ Wetlands Lakes ponds ...
- ☐ Road Centerlines ...
- ☐ Soils (SSURGO_Soils_2011) ...
- ☐ Unincorporated Zoning Data ...
- ☐ DTM 2014 HillShade ...
- ☐ Imagery 2014 DuPageOnly Service ...
- ☐ Imagery 2013 Service ...
- ☐ Imagery 2012 Service ...
- ☐ Imagery 2011 Service ...
- ☐ Imagery 2006 Service ...
- ☐ Imagery 1998 Service ...
- ☒ Imagery 1987 Service ...
- ☐ Imagery 1978 Service ...
- ☐ Imagery 1956 Service ...

Parcel Viewer

0912394008

X

Show search results for: 091230

66

50

50

66

103.62

33

66

103.62

33

142

58

50

50

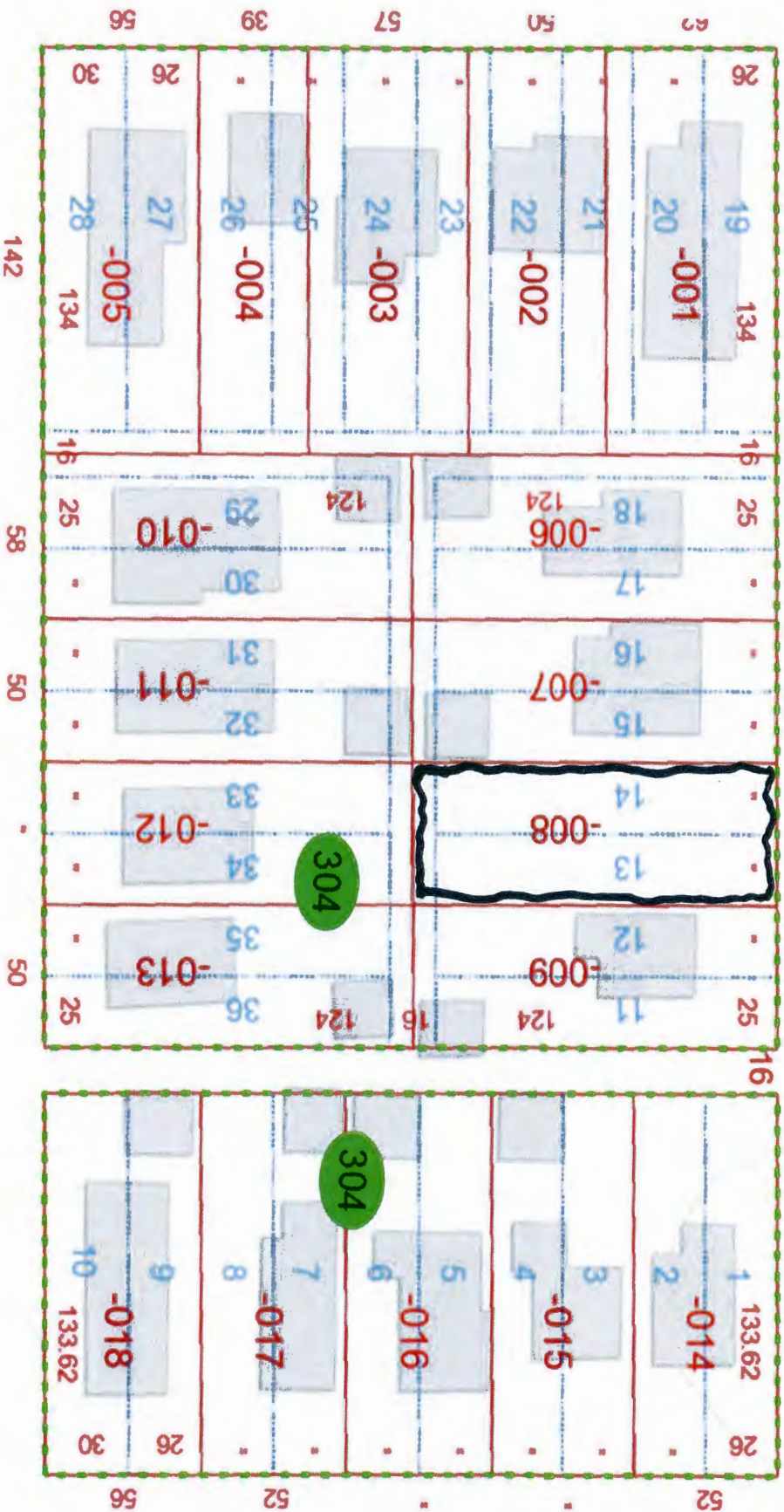
16

61H ST

33

61H ST

33



ULM PL

of Chicago, County of DuPage, Ontario Base Map, Province of Ontario Ltd., HERE Garmin, INCORPORATED

6ULM PL

CSF

D ST

GARFIELD ST

Parcel Viewer

Map Tools

Legend

Layers

Scale

Address

Parcel ID

Area

Perimeter

Volume

Value

Owner

Address

Parcel ID

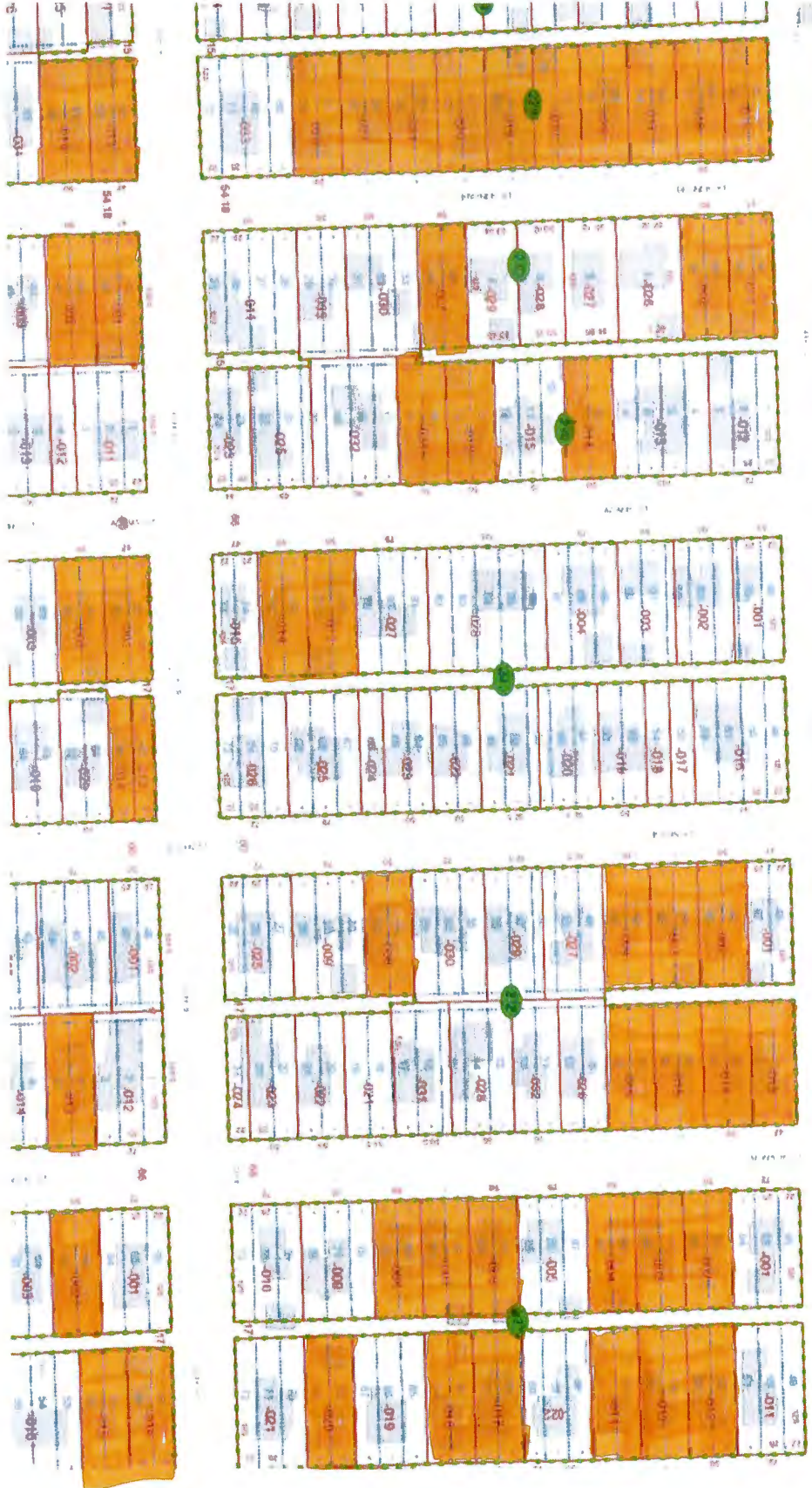
Area

Perimeter

Volume

Value

Owner



| | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|
| 233 | 234 | 231 | 234 | 234 | 231 | 234 | 231 |
| 743 | 236 | 235 | 238 | 239 | 635 | 237 | 239 |
| | 240 | 239 | 242 | 645 | | 243 | 543 |
| | 727 | 243 | | | | 609 | 24 |

| | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 401 | 402 | 718 | 404 | 401 | 632 | 618 | 608 | 403 |
| 411 | 410 | 409 | 410 | 407 | | 405 | 412 | 404 |
| 415 | 414 | 415 | 416 | 411 | 414 | 409 | 416 | 411 |
| 417 | 418 | 410 | 422 | 415 | 420 | 415 | 418 | 415 |
| 421 | 422 | 423 | 428 | | 424 | 419 | 420 | 419 |
| 425 | 426 | 427 | 432 | 423 | 430 | 425 | 424 | 425 |
| 431 | 430 | 433 | 436 | 435 | 437 | 431 | 428 | 429 |
| 435 | 438 | 439 | 444 | 437 | 440 | 435 | 436 | 433 |
| 443 | | | 446 | 441 | 444 | 439 | 442 | 439 |
| 445 | 727 | 441 | | 445 | 444 | 440 | 446 | 443 |

Fourth St.

Sixth St.

| | | | | | | | | |
|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| 744 | 600 | 601 | 602 | 601 | 602 | 603 | 604 | 544 |
| 605 | 608 | 605 | | 607 | 606 | 607 | 608 | 605 |
| 611 | 612 | 609 | 610 | 609 | 610 | 611 | 614 | 611 |
| 615 | 616 | 615 | 614 | 615 | 614 | 611 | 616 | 615 |
| | 620 | 619 | 620 | 619 | | 613 | 624 | 610 |

R-4

Residential Property Information for New Construction Homes
(Demonstrative)

| <u>No.</u> | <u>Address</u> | <u>Date of Construction</u> | <u>Lot Size (square feet)</u> |
|------------|--------------------------------|-----------------------------|-------------------------------|
| 1. | 224 S. Adams | 2015 | 6,150 |
| 2. | 235 S. Adams | 2015 | 5,312.5 |
| 3. | 21 S. Bruner | 2014 | 6,150 |
| 4. | 228 S. Bruner | 2015 | 6,525 |
| 5. | 601 S. Adams | 2016 | 5,875 |
| 6. | 719 S. Adams | 2016 | 6,675 |
| 7. | 218 S. Monroe | 2016 | 6,675 |
| 8. | 713 S. Monroe | 2015 | 6,675 |
| 9. | 411 S. Washington | 2015 | 6,250 |
| 10. | 630 S. Bodin | 2016 | 6,675 |
| | <i>Subject Property</i> | <i>TBD</i> | <i>6,600</i> |

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0911222014
Neighborhood HK7
Address 224 S ADAMS ST
HINSDALE, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 7,191.16

Property Information

SF Living Area 3,062
Construction Class 1.75
Exterior Frame
Stories 2,3
Full Baths 5
Half Baths 1
Fixtures 3
Basement F
Basement SF 1,124
Year Built '15
Garage 462
Land 50.00x123.00x.90(d)

Assessment Information

Land 53,720
Building 271,220
Total 324,940
Prorate 0

Sale Information (Most Recent)

Sale Date 12/30/2015
Sale Amount \$ 1,166,412

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0911223027
Neighborhood HK7
Address 235 S ADAMS ST
HINSDALE, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 9,771.72

Property Information

SF Living Area 2,766
Construction Class 1.75
Exterior Frame
Stories 3,2,1
Full Baths 4
Half Baths 1
Fixtures 2
Basement F
Basement SF 1,076
Year Built '15
Garage 400
Land 42.50x125.00x.92(d)

Assessment Information

Land 46,690
Building 229,110
Total 275,800
Prorate 0

Sale Information (Most Recent)

Sale Date 5/1/2015
Sale Amount \$ 900,000

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0911203006
Neighborhood HH7
Address 21 S BRUNER ST
HINSDALE, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 6,044.20

Property Information

SF Living Area 2,655
Construction Class 1.75
Exterior Frame
Stories 2,3
Full Baths 5
Half Baths 1
Fixtures 2
Basement F
Basement SF 1,212
Year Built '14
Garage 400
Land 50.00x123.00x.90(d)

Assessment Information

Land 62,670
Building 246,170
Total 308,840
Prorate 0

Sale Information (Most Recent)

Sale Date 9/1/2015
Sale Amount \$ 960,000

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0911221020
Neighborhood HK7
Address 228 S bruner st
Hinsdale, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 14,458.32

Property Information

SF Living Area 3,069
Construction Class 1.75
Exterior Frame
Stories 2,3
Full Baths 5
Half Baths 1
Fixtures 4
Basement F
Basement SF 1,262
Year Built '15
Garage 400
Land 50.00x130.50x.94(d)

Assessment Information

Land 56,110
Building 271,710
Total 327,820
Prorate 0

Sale Information (Most Recent)

Sale Date 4/1/2015
Sale Amount \$ 1,335,000

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0911404001
Neighborhood HK7
Address 601 S ADAMS ST
HINSDALE, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 5,392.30

Property Information

SF Living Area 3,164
Construction Class 1.75
Exterior Frame
Stories 2,3
Full Baths 4
Half Baths 1
Fixtures 3
Basement F
Basement SF 848
Year Built '16
Garage 482
Land 47.00x125.00x.92(d)

Assessment Information

Land 51,610
Building 65,960
Total 117,570
Prorate 69850

Sale Information (Most Recent)

Sale Date 4/1/2014
Sale Amount \$ 398,900

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0911412004
Neighborhood HK7
Address 719 S ADAMS ST
HINSDALE, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 3,888.40

Property Information

SF Living Area 3,487
Construction Class 1.75
Exterior Frame
Stories 3,2
Full Baths 5
Half Baths 1
Fixtures 4
Basement F
Basement SF 1,295
Year Built '16
Garage 400
Land 50.00x133.50x.94(d)

Assessment Information

Land 56,100
Building 291,530
Total 347,630
Prorate 0

Sale Information (Most Recent)

Sale Date 12/18/2015
Sale Amount \$ 1,405,000

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0911224025
Neighborhood HK7
Address 218 S MONROE ST
HINSDALE, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 4,541.42

Property Information

SF Living Area 3,274
Construction Class 1.75
Exterior Frame
Stories 2,3
Full Baths 5
Half Baths 1
Fixtures 5
Basement F
Basement SF 1,290
Year Built '16
Garage 400
Land 50.00x133.00x.94(d)

Assessment Information

Land 56,100
Building 143,120
Total 199,220
Prorate 114030

Sale Information (Most Recent)

Sale Date 3/1/2016
Sale Amount \$ 1,440,622

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0911414032
Neighborhood HK7
Address 713 S Monroe St
Hinsdale, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 7,073.56

Property Information

SF Living Area 2,956
Construction Class 1.75
Exterior Frame
Stories 2,3
Full Baths 5
Half Baths 1
Fixtures 7
Basement F
Basement SF 1,262
Year Built '15
Garage 400
Land 50.00x133.50x.94(d)

Assessment Information

Land 56,100
Building 275,400
Total 331,500
Prorate 0

Sale Information (Most Recent)

Sale Date 8/3/2015
Sale Amount \$ 1,399,000

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0912132002
Neighborhood HF7
Address 411 S WASHINGTON ST
Hinsdale, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 5,646.22

Property Information

SF Living Area 2,732
Construction Class 1.75
Exterior Frame
Stories 2,3
Full Baths 5
Half Baths 1
Fixtures 4
Basement F
Basement SF 1,212
Year Built '15
Garage 462
Land 50.00x125.00x.92(d)

Assessment Information

Land 68,640
Building 311,200
Total 379,840
Prorate 0

Sale Information (Most Recent)

Sale Date 10/1/2015
Sale Amount \$ 1,750,000

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0911404031
Neighborhood HK7
Address 630 S Bodin sr
Hinsdale, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 4,813.28

Property Information

SF Living Area 2,851
Construction Class 1.75
Exterior Frame
Stories 2,3
Full Baths 6
Half Baths 1
Fixtures 4
Basement F
Basement SF 1,319
Year Built '16
Garage 400
Land 50.00x133.50x.94(d)

Assessment Information

Land 56,100
Building 145,720
Total 201,820
Prorate 77800

Sale Information (Most Recent)

Sale Date 4/1/2016
Sale Amount \$ 1,499,300

Downers Grove Township Assessor's Office

Office of the Assessor

4340 Prince Street, Downers Grove, IL 60515 www.dgtownship.com P (630) 719-6630 F (630) 719-6653

Residential Property Information

Parcel Information

Parcel Number 0912304008
Neighborhood HFV
Address E 6th St
Hinsdale, IL 60521

Tax Information

Tax Rate 5.6053
Tax Amount \$ 3,698.38

Property Information

SF Living Area 0
Construction Class
Exterior
Stories
Full Baths
Half Baths
Fixtures
Basement
Basement SF 0
Year Built
Garage
Land 50.00x132.00x.94(d)

Assessment Information

Land 70,130
Building 0
Total 70,130
Prorate 0

Sale Information (Most Recent)

Sale Date
Sale Amount \$ 0

