



MEETING AGENDA

**REGULAR MEETING OF THE
ZONING BOARD OF APPEALS
WEDNESDAY, MARCH 21, 2017
6:30 P.M.**

MEMORIAL HALL – MEMORIAL BUILDING
(Tentative & Subject to Change)

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES – None**
- 4. APPROVAL OF FINAL DECISION – None**
- 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**
- 8. PUBLIC HEARINGS**
 - a) V-01-18, 415 South Vine Street
 - b) V-02-18, Monument Sign on Landscaped Median of Salt Creek Lane
 - c) V-03-18, 842 West Seventh Street
- 9. NEW BUSINESS**
- 10. OLD 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

8a

MEMORANDUM

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

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

DATE: January 10, 2018

RE: Zoning Variation – V-01-18; 415 S. Vine Street

In this application for variation, the applicant requests relief from the minimum front yard setback requirements set forth in section 3-110D(1) for the construction of a new single family home. The applicant is requesting an 11.4' reduction in the required front yard setback from 36.4' to 25'.

This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the east side of Vine Street between Fourth and Fifth. The property has a frontage of approximately 90', a depth of approximately 101.8', and a total square footage of approximately 9,162. The maximum FAR is approximately 3,390 square feet, the maximum allowable building coverage is 25% or approximately 2,290 square feet, and the maximum allowable lot coverage is 60% or approximately 5,497 square feet.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-01-18

Zoning Calendar No. V-01-18

VILLAGE OF HINSDALE
APPLICATION FOR VARIATION

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

FILING FEES: ~~\$350.00~~

NAME OF APPLICANT(S): Howard Chang

ADDRESS OF SUBJECT PROPERTY: 415 S Vine St

TELEPHONE NUMBER(S): 630-909-9268

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

DATE OF APPLICATION: January 5, 2018



RECEIVED
CB 1/5/18

SECTION I

Please complete the following:

1. **Owner.** Name, address, and telephone number of owner: First American Bank Land Trust FM08108721
900 Ogden Ave, No 200, Downers Grove, IL 60515. Tel 630-909-9268
2. **Trustee Disclosure.** In the case of a land trust the name, address, and telephone number of all trustees and beneficiaries of the trust: First American Bank Trustee: Rosanne DuPass
218 W Main St, West Dundee, IL 60118, tel. 847-403-8112
Beneficiary: Howard Chang, 900 Ogden Ave, No 200, Downers Grove, IL 60515. Tel. 630-909-9268
3. **Applicant.** Name, address, and telephone number of applicant, if different from owner, and applicant's interest in the subject property: Howard Chang, 900 Ogden Ave, No 200,
Downers Grove, IL 60515. Tel 630-909-9268
4. **Subject Property.** Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) Refer to attached legal description
5. **Consultants.** Name and address of each professional consultant advising applicant with respect to this application:
 - a. Attorney: NA
 - b. Engineer: Ridgeline Consultants - 1661 Aucutt Rd, Montgomery, IL 60538. Tel. 630-801-7927
 - c. Architect: Patrick Plunkett Architectural Design - 19 N Grant St, Hinsdale IL 60521. Tel. 630-789-8100
 - 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. Refer to attached name and address of neighboring owners

After the Village has prepared the legal notice, the applicant/agent must mail by certified mail, "return receipt requested" to each property owner/ occupant. The applicant/agent must then fill out, sign, and notarize the "Certification of Proper Notice" form, returning that form and all certified mail receipts to the Village.

8. **Survey.** Submit with this application a recent survey, certified by a registered land surveyor, showing existing lot lines and dimensions, as well as all easements, all public and private rights-of-way, and all streets across and adjacent to the Subject Property.
Refer to attached Boundary and Topographic Survey
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.
R-4, all single family homes except the church across street
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.
NA
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.
Refer to attached Memo
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.
NA

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. Refer to attached Title

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

Sec. 3-110 Bulk, Space, And Yard Requirements

Sec D.1 Front

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.)

Per sec. 3-110, Sec D.1, specifically, we want to set the new construction home where the existing front setback is on S Vine St. To reduce the required front setback from average block setback of 36.4' to 25', slightly more than the existing 24.7'.

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.)

Request for a 11.4' reduction of the required front yard setback.

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

Refer to attached Memo

- (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 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 property.

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.
Refer to attached preliminary architectural design
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.
Refer to attached preliminary architectural design and boundary and topographic survey


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: Howard Chang

Signature of Owner: 

Name of Applicant: Howard Chang

Signature of Applicant: 

Date: January 5, 2018

EXHIBIT A

PARCEL 1:

LOT 3 AND THE SOUTH 28 FEET OF LOT 1 OF KLEIN'S SUBDIVISION OF PART OF OUTLOT 3 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 24, 1926 AS DOCUMENT 221973, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF OUTLOT 3 OF THE TOWN OF HINSDALE, IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EAST LINE OF VINE STREET, AS SHOWN ON PLAT OF KLEIN'S SUBDIVISION OF PART OF SAID OUTLOT 3; WEST OF THE WEST LINE OF LOT 3 IN KLEIN'S SUBDIVISION, AFORESAID; NORTH OF THE SOUTH LINE OF LOT 3, AFORESAID, EXTENDED WEST; AND SOUTH OF THE NORTH LINE OF LOT 3, AFORESAID, EXTENDED WEST, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 14, 1866 AS DOCUMENT 7738 IN DUPAGE COUNTY, ILLINOIS.

Address: 415 South Vine Street, Hinsdale, IL 60521

PIN: 09-12-113-007

Name and Address of Neighboring Owners
(within 250 ft of 415 S Vine St)

Recorded Owner(s)	Address	Property Type
211 ENT LLC	211 W 4TH ST	SFH
CONNELLY, MARC C & ANNE T	212 W 4TH ST	SFH
MAKRIS, ANGELO & T TR	218 W 4TH ST	SFH
PAPPAS, EVAN P & PATTY A	224 W 4TH ST	SFH
MATALKA, FARIS & JAMIE L	305 W 4TH ST	SFH
DIOCESE OF JOLIET	306 W 4TH ST	Church
FINNEGAN, JAY & ERIN TR	313 W 4TH ST	SFH
CHICATO TITLE 8002360998	321 S VINE ST	SFH
JALIVAND, ABOLHASSAN&ETAL	324 S GRANT ST	SFH
JOHNS, WM & SHARON	406 S GRANT ST	SFH
WILSON, STEVEN & KATHLEEN	409 S VINE ST	SFH
HUDSON, ALEX & THERESA	410 S GRANT ST	SFH
CHUDOM, KYLE TR	416 S GRANT ST	SFH
VERDON, GARY L & M CHEKAL	420 S GRANT ST	SFH
WRIGHT, CLIFFORD & C	421 S VINE ST	SFH
MANION, ROBERT & SALLY	424 S GRANT ST	SFH
PIRCON TR, SUSAN	427 S VINE ST	SFH
ALESIA, JOSEPH M TR	428 S GRANT ST	SFH
ROHN, CHRISTOPHER & KARIN	429 S VINE ST	SFH
MATTHEWS, BYRON & JENNIFER	432 S GRANT ST	SFH
CHICAGO TR CO BEV-3521	434 S VINE ST	SFH
SHEA JR TR, TERRANCE & S	435 S VINE ST	SFH
CROTTY, JAMES & KATHRYN	436 S GRANT ST	SFH
EVERETTE, MARK & LISA	439 S VINE ST	SFH
DI NOVI, FIORE & M	440 S GRANT ST	SFH
HARRIS BK HNSDL TR L-3187	440 S VINE ST	SFH

To: Zoning Board of Appeal
From: Howard Chang
CC: Robert McGinnis
Date: January 5, 2018
Re: Application for Variation – 415 S Vine St

Section I

No. 11

The proposed new construction home will satisfy, with the only sought variance in front yard setback, all other standards that the Zoning Ordinance establishes as a condition of, or in connection with, the approval being sought.

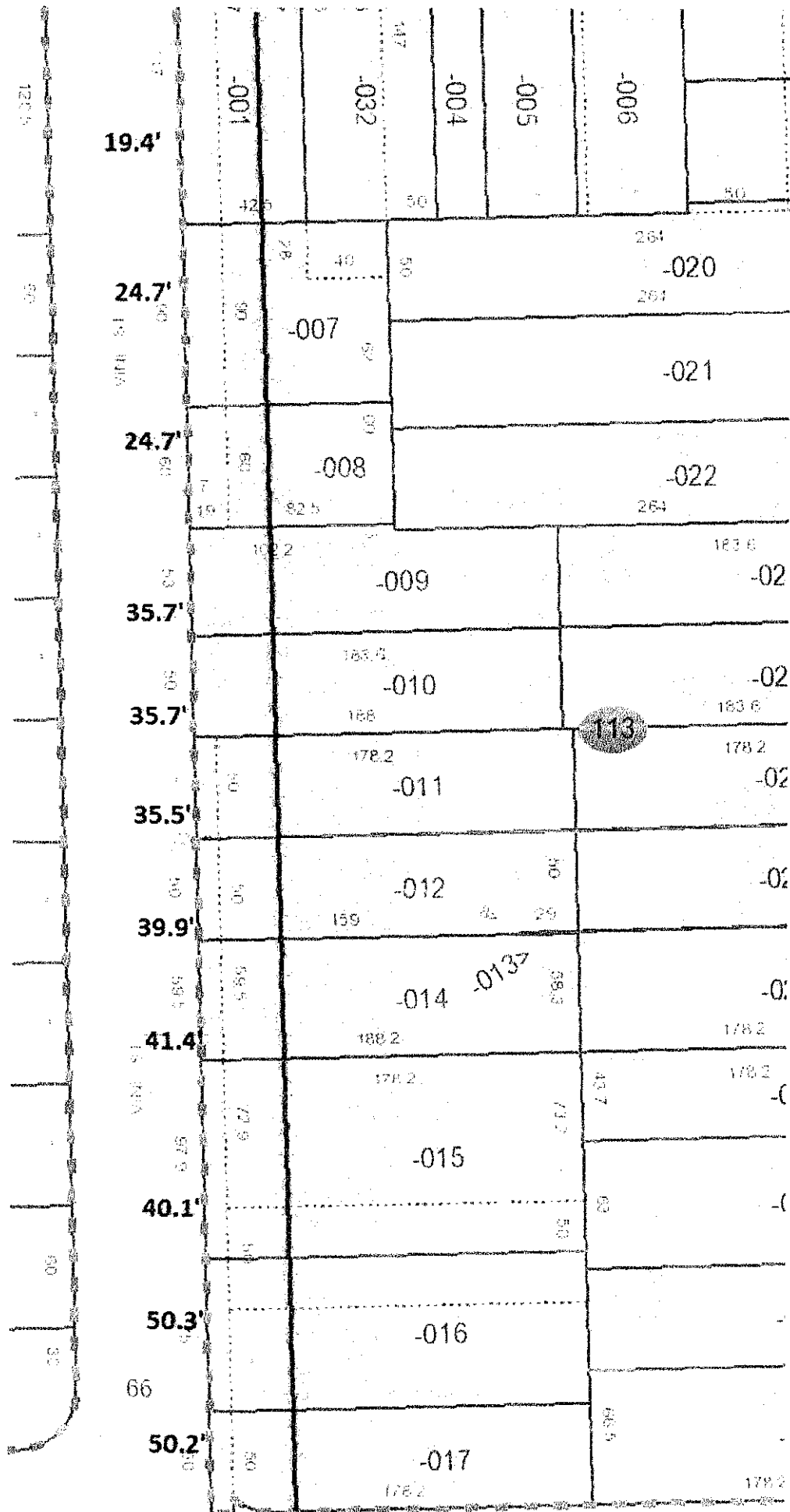
Section II

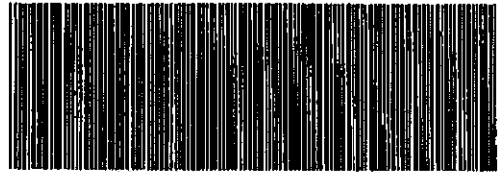
No. 5 Standards for Variation

- (a) This lot is R4, non-conforming, only 102' deep. It lined up perfectly together with the 3 lots up at the north end of the block, with a 25' or less front setback. The rest of lots (8 out of 11) to the south end of the block all have over 185' lot depth. These deep lots all have over 35' front setback. Figure 1 illustrates the existing front setback on this block. The unique physical condition of abnormally large lot depth disparity made it impossible for us to build a usable home with the average block setback. If we were to follow the 36.4' average block setback, it would push the house too close to the detached garage to meet the minimum required 10' setback between house and garage. If we change the garage to attached garage, it cannot be built before the required 25' setback line. Please see Figure 2 for illustration.
- (b) The aforesaid unique physical condition is historical and not the result of any action of the owner.
- (c) Using average block setback of 36.4' would push the new construction home too close to the detached garage, violating the min 10' setback between house and garage, also making it nearly impossible for vehicle to maneuver and creating a safety hazard. Building an attached garage would violate the 25' min setback line at backyard. These compelling hardships would deny the substantial right to use this lot.
- (d) Our request for variation should not be considered a special privilege. A 102' deep lot, located with similar neighbors, would have a much smaller calculated average block setback under normal circumstance. The striking blend of 3 short lots and 8 very deep lots on this block presented a unique hardship to follow the average block setback. We are not asking the board for special privilege to reduce the existing front setback. In fact, we are requesting a front 25' front setback, to be in line with and slightly more than the existing 24.7' setback.
- (e) Maintaining existing front setback in new construction will promote neighbor harmony in this particular situation. Not only our neighbors on the left and right have approximate 25' front setback, our neighbor across street, St. Issac Church, also maintains similar and smaller front setback.
- (f) None

[illegible]

Figure 2. Average Block Setback Line



**FRED BUCHOLZ****DUPAGE COUNTY RECORDER**

DEC.03,2013

RHSP 12:41 PM

DEED

09-12-113-007

003 PAGES**R2013-161730**

2/2

**WARRANTY DEED
IN TRUST**

20133482 AK
201360094

This space for Recorder's use only

THIS INDENTURE WITNESSETH, that the Grantor, **DANIEL O. HEAD III**, of the County of DuPage and State of Illinois, for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), in the hand paid, and of other good and valuable considerations, receipt of which is hereby duly acknowledged, Convey(s) and Warrant(s) unto **FIRSTMERIT BANK, N.A.**, a national banking association under the laws of the United States of America, 1606 N. Harlem Avenue, Elmwood Park, IL 60707, and duly authorized to accept and execute trusts within the State of Illinois, as Trustee under the provisions of a certain Trust Agreement, dated October 10, 2008, and known as Trust Number 08-10-8721 the following described real estate in the County of DuPage and State of Illinois, to wit:

PARCEL 1:

LOT 3 AND THE SOUTH 28 FEET OF LOT 1 OF KLEIN'S SUBDIVISION OF PART OF OUTLOT 3 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 24, 1926 AS DOCUMENT 221973, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF OUTLOT 3 OF THE TOWN OF HINSDALE, IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE EAST LINE OF VINE STREET, AS SHOWN ON PLAT OF KLEIN'S SUBDIVISION OF PART OF SAID OUTLOT 3; WEST OF THE WEST LINE OF LOT 3 IN KLEIN'S SUBDIVISION, AFORESAID; NORTH OF THE SOUTH LINE OF LOT 3, AFORESAID, EXTENDED WEST; AND SOUTH OF THE NORTH LINE OF LOT 3, AFORESAID, EXTENDED WEST, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 14, 1866 AS DOCUMENT 7738 IN DUPAGE COUNTY, ILLINOIS.

SUBJECT ONLY TO: General Real Estate Taxes not due and payable at the time of Closing; covenants, conditions and restrictions of record; and building lines and easements, if any, provided they do not interfere with the current use and enjoyment of the Real Estate.

Property address: 415 South Vine Street, Hinsdale, IL 60521

PIN: 09-12-113-007

TO HAVE AND TO HOLD the said real estate with the appurtenances, upon the trusts, and for the uses and purposes herein and in said Trust Agreement set forth.

Full power and authority is hereby granted to said Trustee to improve, manage, protect and subdivide said real estate or any part thereof to dedicate parks, highways or alleys and to vacate any subdivision of part thereof, and to re-subdivide said real as often as desired, to contract to sell, to grant options to purchase, to sell on any terms to convey either with or without consideration, to convey said real estate or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said real estate, or any part thereof, to lease said real estate, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or in futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 198 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any

time or times thereafter, to contract to make leases and to grant options to lease and option to renew leases and options to purchase the whole or any part of the reversion to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said real estate, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said real estate or any part thereof, and to deal with said real estate and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said Trustee, or any successor in trust, in relation to said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on said real estate, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the authority, necessity or expediency of any act of said Trustee, or be obliged or privileged to inquire into any of the terms of said Trust Agreement; and every deed, mortgage, lease or other instrument executed by said Trustee, or any successor in trust, in relation to said real estate shall be conclusive evidence in favor of every person (including the Registrar of Titles of said county) relying upon or claiming under any such conveyance lease or other instrument, (a) that at the same time of the delivery thereof the trust created by this Indenture and by said Trust Agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Indenture and in said Trust Agreement or in all amendments thereof, if any, and binding upon all beneficiaries thereunder, (c) that said Trustee, or any successor in trust, was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument, and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

This conveyance is made upon the express understanding that neither FirstMerit Bank, N.A., individually or as Trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgement or decree for anything it or they or its or their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this Deed or said Trust Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate, and any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the then beneficiaries under said Trust Agreement as their attorney-in-fact, hereby irrevocable appointed for such purposes, or at the election of the Trustee, in its own name, as Trustee of an express trust and not individually (and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and discharged thereof). All persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

The interest of each and every beneficiary hereunder and under said Trust Agreement and of all persons claiming under them or any of them shall be only in the earning, avails and proceeds from the sale or any other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, or in to said real estate as such, but only an interest in the earning, avails and proceeds thereof as aforesaid, the intention hereof being to vest in said FirstMerit Bank, N.A., the entire legal and equitable title in fee simple, in and to all of the real estate above described.

If the title to any of the above real estate is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust," or "upon condition" or "with limitations," or words of similar import, in accordance with the statute in such case made and provided, and said Trustee shall not be required to produce the said Agreement or a copy thereof, or any extracts therefrom, as evidence that any transfer, charge or other dealing involving the registered lands is in accordance with the true intent and meaning of the trust.

And the said grantor(s) hereby expressly waive(s) and release(s) any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for exemption of homesteads from sale on execution or otherwise.

In Witness Whereof, the grantor(s) aforesaid has hereunto set their hand(s) and seal(s) this 22 day of November, 2013.

(SEAL)

Daniel O. Head III

(SEAL)

DANIEL O. HEAD III

by *Susanne V. Conover*
by Susanne V. Conover, as Agent

as agent

STATE OF ILLINOIS)
COUNT OF DuPAGE)

I, the undersigned, a Notary Public in and for said County, in the state aforesaid, do certify that SUSANNE V. CONOVER, as agent for DANIEL O. HEAD III, personally known to me to be the same person(s) whose name(s) is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

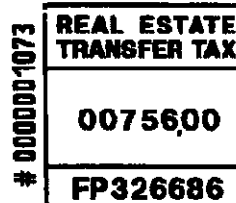
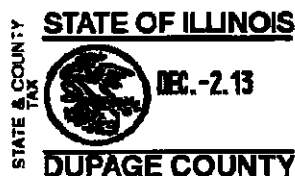
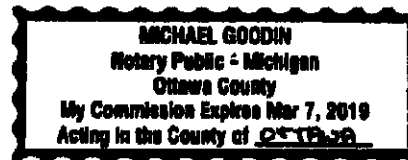
Given under my hand and notary seal this 22nd day of November, 2013.

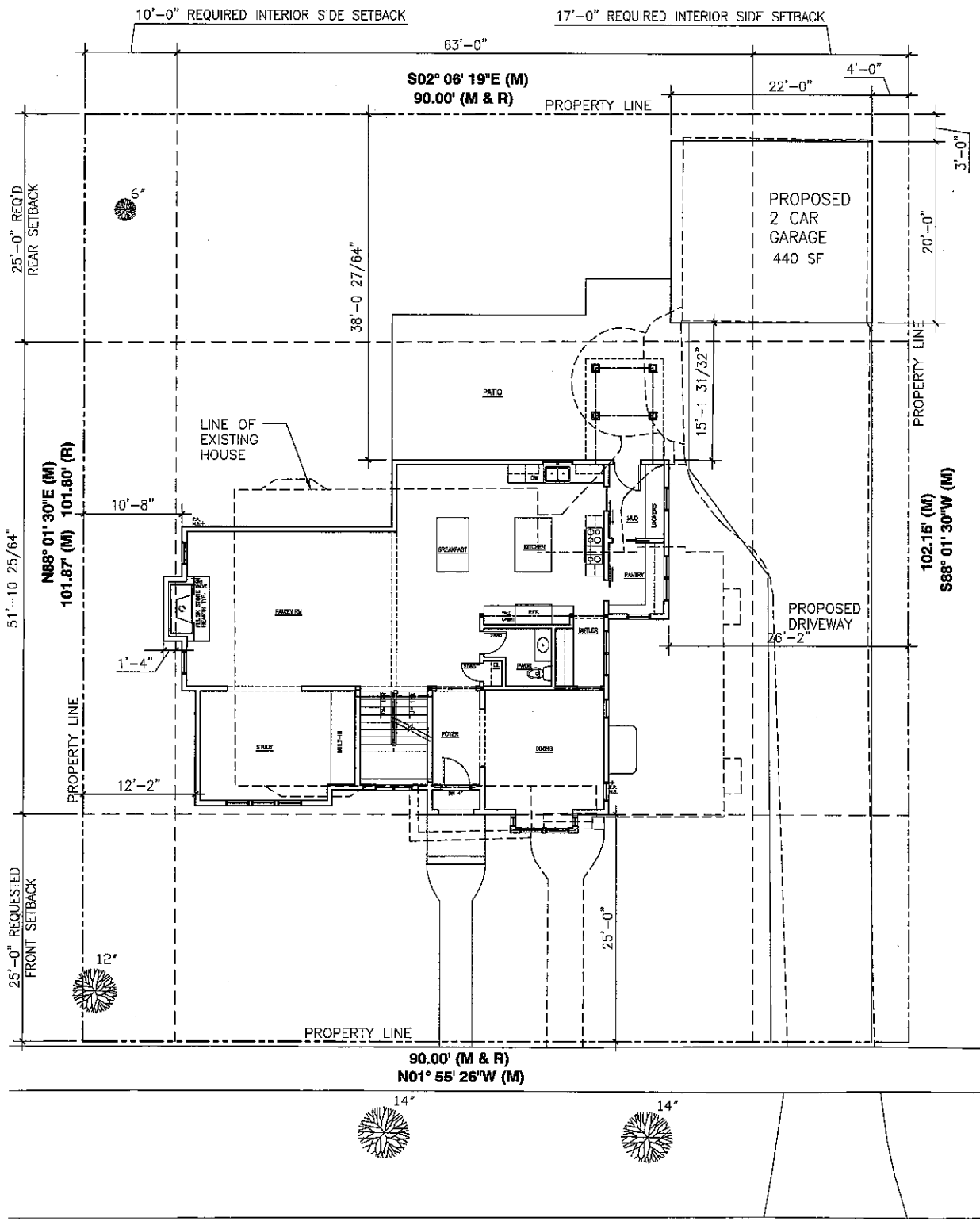

Notary Public

Mail recorded deed to:
FirstMerit Bank, N.A.
Trust Department
1606 N. Harlem Avenue
Elmwood Park, IL 60707

Mail tax bills to:
FirstMerit Bank
Trust No. 08-10-8721
900 Ogden Avenue, Suite 200
Downers Grove, IL 60515

This document prepared by:
Joseph F. Vosicky, Jr.
Law Offices of Joseph F. Vosicky, Jr.
53 West Jackson Blvd., Suite 1522
Chicago, IL 60604





1 SITE PLAN - PROPOSED

SCALE: 3/32" = 1'-0"



FRONT SETBACK REQUESTED

PATRICK PLUNKETT
architectural design llc
19 n. grant street
hinsdale, il 60521
630.789.8100

Project:
415 S VINE

Scale:
3/32" = 1'-0"

Date:
01.04.18

MEMORANDUM

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

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

DATE: February 12, 2018

RE: Zoning Variation – V-02-18 Monument Sign on Landscaped Median of Salt Creek Lane

In this application for variation, the applicant requests several sign variations in conjunction with the Med Properties medical office campus. The sign package has been reviewed by the Plan Commission in terms of design and content, and as such, the relief being requested is for only the location and illumination of the sign and not the content, materials, etc. It should be noted that this request is being driven by the fact that the Code does not account for campus type signage or the unusual nature of the relationship between their buildings and the rest of the office park. As a result, the applicant is requesting variations from the following:

Section 9-106(G) (5) - to allow off premises identification signs.

Section 9-106(G) (5) – to allow illumination of off premises identification signs.

Section 9-106(J) (4) (d) - to allow a total square footage of 110 square feet, in lieu of the 100 square feet permitted for ground signs.

These properties are located in the O-3 Office District in the Village of Hinsdale and are located on the north side of Ogden Avenue between York Road and the Tri-State.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-02-18

Zoning Calendar No. V-02-18

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): 8 Salt Creek Campus, LLC

ADDRESS OF SUBJECT PROPERTY: Landscaped middle of Salt Creek Lane
North of Ogden Avenue

TELEPHONE NUMBER(S): (847)897-7305

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

DATE OF APPLICATION: January 30, 2018



RECEIVED
1/30/18

SECTION I

Please complete the following:

1. Owner. Name, address, and telephone number of owner: 8 Salt Creek Campus, LLC
40 Skokie Boulevard, Suite 410, Northbrook, IL 60062, (847) 897-7310
2. Trustee Disclosure. In the case of a land trust the name, address, and telephone number of all trustees and beneficiaries of the trust: N/A

3. Applicant. Name, address, and telephone number of applicant, if different from owner, and applicant's interest in the subject property: 8 Salt Creek Campus, LLC - Paul Kopecki
40 Skokie Boulevard, Suite 410, Northbrook, IL 60062

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: Peter Coules, Jr., 15 Salt Creek Lane, Suite 312, Hinsdale, IL 60521
 - b. Engineer: Cardosi Kiper Design Group, 2437 South Western Avenue, Chicago, IL 60608
 - 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. N/A
- b. _____
7. Neighboring Owners. Submit with this application a list showing the name and address of each owner of (1) property within 250 lineal feet in all directions from the subject property; and (2) property located on the same frontage or frontages as the front lot line or corner side lot line of the subject property or on a frontage directly opposite any such frontage or on a frontage immediately adjoining or across an alley from any such frontage.
- After the Village has prepared the legal notice, the applicant/agent must mail by certified mail, "return receipt requested" to each property owner/ occupant. The applicant/agent must then fill out, sign, and notarize the "Certification of Proper Notice" form, returning that form and all certified mail receipts to the Village.
8. Survey. Submit with this application a recent survey, certified by a registered land surveyor, showing existing lot lines and dimensions, as well as all easements, all public and private rights-of-way, and all streets across and adjacent to the Subject Property.
9. Existing Zoning. Submit with this application a description or graphic representation of the existing zoning classification, use, and development of the Subject Property, and the adjacent area for at least 250 feet in all directions from the Subject Property.
10. Conformity. Submit with this application a statement concerning the conformity or lack of conformity of the approval being requested to the Village Official Comprehensive Plan and the Official Map. Where the approval being requested does not conform to the Official Comprehensive Plan or the Official Map, the statement should set forth the reasons justifying the approval despite such lack of conformity.
11. Zoning Standards. Submit with this application a statement specifically addressing the manner in which it is proposed to satisfy each standard that the Zoning Ordinance establishes as a condition of, or in connection with, the approval being sought.
12. Successive Application. In the case of any application being filed less than two years after the denial of an application seeking essentially the same relief, submit with this application a statement as required by Sections 11-501 and 11-601 of the Hinsdale Zoning Code.

SECTION II

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

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

See attached.

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.

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.

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.

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.

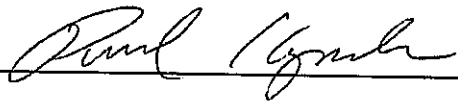
SECTION V

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: 8 Salt Creek Campus, LLC

Signature of Owner: 

Name of Applicant: 8 Salt Creek Campus, LLC

Signature of Applicant: 

Date: 1-30-18

Section 1 (4)

Parcel 1:

LOT 5 IN OFFICE PARK OF HINSDALE, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20M 2002, AS DOCUMENT R2002-243817, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY AGREEMENT RECORDED JUNE 11, 1973 AS DOCUMENT R73-33823 AS AMENDED BY DOCUMENTS R73-35331, R81-2365 AND R2001-197280, DESCRIBED IN RIDE DESCRIPTIONS 2, 4 AND 6 ATTACHED THERETO, AND BY EASEMENT GRANT RECORDED JANUARY 18M 1989 AS DOCUMENT SR89-006821 AS AMENDED BY DOCUMENT R89-072896 AND AS CREATED BY EASEMENT GRANT RECORDED JUNE 20, 1989 AS DOCUMENT R89-072897, DESCRIBED IN EXHIBITS C1 THROUGH C5 ATTACHED THERETO, FOR THE PURPOSES OF INGRESS AND EGRESS OVER, UPON AND ACROSS EASMENT PREMISES.

PARCEL 3:

A NON-EXCLUSIVE EASMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF EASEMENTS AND OPERATING COVENANTS RECORDED MAY 29, 2003, AS DOCUMENT R2003-200111, AND RE-RECORDED JANUARY 10, 2006 AS DOCUMENT R2006-005825 AND AMENDED BY R2012-024784 FOR THE PURPOSE OF VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS UPON THE ROADWAYS; RETENTION, DETENTION AND DRAINAGE OF WATER AND OVER COMMON IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO THE CLOCK TOWER, SIDEWALKS, LANDSCAPED AREAS AND POND FOR PEDESTRIAN INGRESS, EGRESS ACCESS AND FOR PASSIVE RECREATIONAL PURPOSES OVER THE FOLLOWING DESCRIBED LAND: LOTS 1,2,3,4,6,7,8,9, AND 10 IN OFFICE PARK OF HINSDALE BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLT THEREOF RECORDED SEPTEMBER 20, 2002, AS DOCUMENTS R2—2-243817, IN DUPAGE COUNTY, ILLINOIS.

SURVEYOR'S NOTES:

[illegible][illegible][illegible]

1. This document is a 24, 000,000 SUBJECT TO PROCS OF THE UNITED STATES OF AMERICA. IT IS A COPY OF THE ORIGINAL AND IS NOT TO 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 THE DIRECTOR, FBI. (U.S. GOVERNMENT PRINTING OFFICE: 1974-0-771-000)

4. THE DESCRIPTION NO. 24, "PROBABLY SUBJECT TO EASTERN CANAL TO ALBANY RAIL-
ROAD COMPANY RECORDS OCTOBER 4, 1910 AND DISTRICT RE-ENTRY OFFICE
PARCELS 1 AND 2, MORTGAGE RECORD, SEE DOCUMENT FOR PARTICULARS.

3. This specimen no. p. 22, (page) not stated to C4 was last seen last by fact
concerned to 10 November 1968 and company recorded after 1970 to
increase 4/10-1970. ATTENTION: PARTIAL 1 AND 2. PARTIAL 10/10/1970. SEE CODES
FOR PARTIALS.

[illegible][illegible][illegible]

The conditions shown are a chemical modification of the known conditions as noted.

SHIRT WAS MADE ON FIELD WORK COMMITTEE ON 5-18-12 AND 11-16-12 (SEE DUE DATES ONLY), AS BY THAT DATE, SAIR COULD NOT AFFORD TO BE PUT INTO A SLOD BECAUSE OF A SCHEDULING PROBLEM. WORKING ON THE SLOD BEING COMPLETED BY THE END OF THE YEAR. THE SLOD SHOULD BE REFINISHED FOR THE 3RD TO HOLD THE DETENTION, THERE WAS NO CONTINUATION OF WORK DUE TO A SCHEDULING PROBLEM.

A TOTAL OF 186 STAINED PINEAPPLE SKULLS AND 7 WINDUP SKULLS WERE
 IDENTIFIED ON 5-10-12 AS STYLED.

[illegible][illegible]

4

100

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COMMISSIONERS OF THE GENERAL LAND OFFICE

[illegible][illegible]

3) If "STREET CORNER" is entered, select the location as "STREET CORNER" in the value of "STREET".

Mackie Consultants, LLC
9575 W. Higgins Road, Suite 500
Rosemont, IL 60018
(847) 595-1400

W & A SYSTEMS
INTEGRATED COMMUNICATIONS
WWW.MOORECOMM.COM

11-11-68

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	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
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History

The requests for the variances of this sign are the same as in 2015, except the sign now is smaller (7'x6' or 6'x6' rather than 8'x6') than the one approved then. In 2015, the Applicant, MedProperties, LLC, submitted an application to the Hinsdale Plan Commission and the Zoning Board of Appeals for approval of a zoning variation for eight (8) signs. On April 15, 2015, the Zoning Board of Appeals entered a Final Decision and approved all eight (8) signs with conditions. The conditions were:

- 1) *IDOT location and site line approval for Sign #1;*
- 2) *Square footage and number of signs on the recommendation of the Plan Commission review appropriate sign content; and*
- 3) *Approval from those properties which require access from Salt Creek Lane.*

The matter was then presented to the Hinsdale Plan Commission, where seven (7) of the eight (8) signs were approved as it was, with the one (1) remaining sign [Sign #1] requiring to obtain input on the Illinois Department of Transportation ("IDOT") setback matter and from the Amita and Spinning Wheel Properties. As these matters took time and many steps were taken, our one (1) year from approval has lapsed for this sign. On June 10, 2015, the other seven (7) signs were approved by the Plan Commission on for Sign #1 to only say "Salt Creek Lane" until erected.

Since 2015, the Applicant has engaged in continued discussions with the Amita and Spinning Wheel Properties. The sign is necessary because when traveling from west to east one does not see Salt Creek Lane or the uses in the park until after they have passed the property. Further, there is not an easy place to turn around after you have passed Salt Creek Lane, as the expressway (I-294) is east of the property. Only Amita and Spinning Wheel Apartments and Offices have signs on the corner, as well as each have an additional one on Ogden (east of Salt Creek Lane), so an additional sign would allow more people to recognize the Immediate Care facility.

The Applicant has also contacted IDOT for approval of the setback and placement of the sign. The Applicant received a letter from IDOT verifying that the proposed sign location is outside of the IDOT right-of-way. Therefore, IDOT can neither approve nor disapprove of the sign or the location on Salt Creek Lane and such approval is solely within the purview of the Village of Hinsdale. IDOT only recommends that the sign be placed where it will not inhibit a vehicle's sight distance and that the sign have breakaway technology as IDOT requires for signs in its right-of-way. In line with these recommendations, IDOT did not recommend any changes to the proposed sign location.

Further, on February 15, 2017, the Office Park of Hinsdale Owners Association provided a letter to the Applicant and the Village of Hinsdale Board of Trustees indicating approval of the "construction, installation, placement, demolition of old monument, placement of the new signage and payment of demolition and payment of new signage installation, including specifically, installation of the subject monument sign, was approved by an affirmative vote of the majority of the board and members of the Association."

The proposed sign has thus recently received approval from the Plan Commission. As you can see, the Plan Commission has greatly vetted the sign and as requested the application is being brought before the Zoning Board of Appeals, as the previous approval was over a year ago and no longer valid.

Section I #9

EXISTING ZONING

The existing zoning for the Subject Property O-3 District. The Subject Property is a professional medical office building.

The Subject Property is surrounded by the O-3 Office District on all sides and is surrounded by various professional and medical office buildings. Further to the south of the site, the zoning is B3-3 District and there are various commercial uses fronting Ogden Avenue.

Section I #10

CONFORMITY

This approval is for a sign proposed for the landscaped middle of Salt Creek Lane north of Ogden Avenue. The proposed sign conforms to the surrounding area. The request for sign variations conforms with both the Village Official Comprehensive Plan and the Official Map, however, the sign will not be in conformity with the strict terms of the Zoning Code.

Per the Code, ground signage is limited to one (1) per lot, not to exceed fifty (50) sq. ft. per sign face and no taller than eight (8) feet. This sign requires variation approval to allow 1) off-premises signage, 2) illumination of off-premises signage, and 3) more than one (1) ground sign per lot.

Applicant believes that it is justified in seeking approval for a variation from the Village Zoning Code to allow for the proposed sign because there is no provision for campus-style signage in the Village Code. Additionally, Applicant believes that the development would benefit from additional signage so individuals may find different offices and buildings more easily.

Section I #11

ZONING STANDARDS

Compliance with the Zoning Ordinance is not possible and variations from the strict letter of the Zoning Code are required because the current relationship of the properties is a campus style.

(a) Unique Physical Condition:

The Subject Property is exceptional because it is an additional building to the campus style buildings already existing with its own signage. The proposed signage is required to identify the different property.

(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.

(c) Denied Substantial Rights:

Applicant believes that if it were required to carry out the strict letter of the Zoning Code, its rights for signage would be deprived.

(d) Not Merely Special Privilege:

The ability to erect the proposed sign on the Subject Property is not a special privilege. Applicant has encountered a hardship in that it must be able to identify the building and new development.

(e) Code and Plan Purposes:

The proposed signage for the Subject Property is in harmony with the general and specific purposes of this Zoning Code and the general purpose and intent of the Official Comprehensive Plan.

(f) Essential Character of the Area:

- 1) The proposed signage is not materially detrimental to the public welfare or materially injurious to the enjoyment, use development, or value of property of improvements permitted in the vicinity.
- 2) The proposed signage will not impair the supply of light and air to the properties and improvements in the vicinity.
- 3) The proposed signage would not increase congestion in the public streets due to traffic or parking.
- 4) The proposed signage will not increase the danger of flood or fire.
- 5) The proposed signage will not impact public utilities or facilities in the area.
- 6) The proposed signage will not endanger the public health or safety.

(g) No Other Remedy:

There are no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient without allowing the proposed variations for the proposed signage.

Section I #12

SUCCESSIVE APPLICATION

N/A

Section II #1

See attached Deeds

Section II #2

ORDINANCE PROVISION

The specific provisions of the Zoning Code from which a variation is sought are as follows:

1. Section 9-106 (G) (5) – Applicant requires a variation from this Section in order to allow an off-premises identification sign on the Subject Property.
2. Section 9-106 (J) (3) (d) – Applicant requires a variation from this Section in order to allow an additional ground sign to the already seven (7) that exist on this lot.
3. Section 9-106 (G) (5) – Applicant requires a variation from this Section in order to allow for illuminated signs.

Section II #3

VARIATION SOUGHT:

Applicant seeks a variance in accordance with Section II 503 (E) (I) (A), which allows the Zoning Board of Appeals to vary the provisions of the Code in order to reduce the dimension of any required yard, setback, or building spacing, and to allow structures and uses to be located in any required yard in addition to and to a greater degree than those authorized by applicable regulations.

Specifically, Applicant seeks:

1. A variation in order to allow off-premises identification signs on the Subject Properties
2. A variation in order to allow an eighth (8th) ground sign on the lot.
3. A variation in order to allow for illuminated signs.

Section II #4

MINIMUM VARIATION:

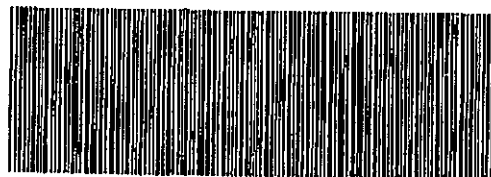
Applicant requires the following minimum variations in order to permit the proposed signs:

1. A variation in order to allow an off-premises identification sign on the Subject Property.
2. A variation in order to allow an eighth (8th) ground sign on the lot.
3. A variation in order to allow for an illuminated sign.

Section II #5

STANDARDS FOR VARIATION:

SEE SECTION I #11



FRED BUCHOLZ

DUPAGE COUNTY RECORDER

DEC:11,2012 RHSP 11:18 AM
DEED 06-86-405-019
004 PAGES R2012-175304

This space for Recorder's use only

TRUSTEE'S DEED

THIS INDENTURE made this 29th day of November, 2012 between **FIRSTMERIT BANK, N.A.**, national banking association organized under the laws of the United States of America, successor Trustee to **Midwest Bank and Trust Company**, as Trustee, not personally, but solely as trustee under the provisions of a Deed or Deeds in Trust duly recorded and delivered to said association in pursuance of a certain Trust Agreement dated November 8, 2001, and known as **Trust Number 01-1-7933** in consideration of Ten and 00/100 Dollars (\$10.00), and other valuable considerations paid, conveys and quit claims unto **Salt Creek Campus. LLC**, a Delaware limited liability company-----

Grantee's address: 40 Skokie Boulevard, Suite 410, Northbrook, IL 60062-----
of Cook County, Illinois, the following described real estate in DuPage County, Illinois:

SEE EXHIBIT 'A' ATTACHED HERETO AND MADE A PART HEREOF

Property: See Exhibit A

Permanent Index Number: See Exhibit A

Together with the appurtenances attached hereto:

IN WITNESS WHEREOF, Grantor has caused its corporate seal to be hereunto affixed, and name to be signed by its Assistant Vice President-Trust Officer and attested by its Vice President this 29th day of November, 2012.

FIRSTMERIT BANK, N.A., successor trustee to
Midwest Bank and Trust Company, as Trustee,
as aforesaid, and not personally

BY: *Passane M. DePan*
Assistant Vice President/Trust Officer

ATTEST: *Patricia J. Cannadine*
Vice President


CHARGE C.T.I.C. DuPAGE

State of Illinois)
) SS.
County of Cook)

I, the undersigned. A Notary Public in and for said County, the State aforesaid **DO HEREBY CERTIFY** that Rosanne M. DuPass, Assistant Vice President-Trust Officer and Patricia E. Camaioni, Vice President of FIRSTMERIT BANK, N.A., a national banking association, Trustee, successor trustee to Midwest Bank and Trust Company as trustee, personally known to me to be the same persons, whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledge that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said association, as Trustee for the uses and purposes, therein set forth and the said Vice President of said association did also then and there acknowledge that he/she as custodian of the corporate seal of said association did affix the said corporate seal of said association to said instrument as his/her own free and voluntary act, and as the free and voluntary act of said association, as Trustee for the uses and purposes therein set forth.

Given under my hand and Notary Seal this 29th day of November, 2012

SEAL



Notary Public



MAIL RECORDED DEED TO:
Salt Creek Campus, LLC
40 Skokie Blvd., Suite 410
Northbrook, IL 60062

MAIL TAX BILLS TO:
Salt Creek Campus, LLC
40 Skokie Blvd., Suite 410
Northbrook, IL 60062


This document prepared by
Rosanne DuPass
FirstMerit Bank, N.A.
1606 N. Harlem Avenue
Elmwood Park, IL 60707

State of Illinois)
) SS.
County of Cook)

I, the undersigned, A Notary Public in and for said County, the State aforesaid **DO HEREBY CERTIFY** that Rosanne M. DuPass, Assistant Vice President-Trust Officer and Patricia E. Camaioni, Vice President of FIRSTMERIT BANK, N.A., a national banking association, Trustee, successor trustee to Midwest Bank and Trust Company as trustee, personally known to me to be the same persons, whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledge that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said association, as Trustee for the uses and purposes, therein set forth and the said Vice President of said association did also then and there acknowledge that he/she as custodian of the corporate seal of said association did affix the said corporate seal of said association to said instrument as his/her own free and voluntary act, and as the free and voluntary act of said association, as Trustee for the uses and purposes therein set forth.

Given under my hand and Notary Seal this 29th day of November, 2012

SEAL


Notary Public




MAIL RECORDED DEED TO:
Salt Creek Campus, LLC
40 Skokie Blvd., Suite 410
Northbrook, IL 60062

MAIL TAX BILLS TO:
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40 Skokie Blvd., Suite 410
Northbrook, IL 60062

This document prepared by
Rosanne DuPass
FirstMerit Bank, N.A.
1606 N. Harlem Avenue
Elmwood Park, IL 60707



STATE & COUNTY TAX

STATE OF ILLINOIS
DEC. 10. 12
DUPAGE COUNTY

0000005470	REAL ESTATE TRANSFER TAX
#	18510.00
	FP326686

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 1: LOTS 4, 5 IN OFFICE PARK OF HINSDALE, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20, 2002, AS DOCUMENT R2002-243817, IN DU PAGE COUNTY, ILLINOIS.

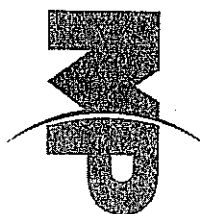
PARCEL 2: NON-EXCLUSIVE, PERPETUAL EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY AGREEMENT RECORDED JUNE 11, 1973 AS DOCUMENT R73-33823 AS AMENDED BY DOCUMENTS R73-35331, R81-2365 AND R2001-197280, DESCRIBED IN RIDER DESCRIPTIONS 2, 4 AND 6 ATTACHED THERETO, AND BY EASEMENT GRANT RECORDED JANUARY 18, 1989 AS DOCUMENT R89-006821 AS AMENDED BY DOCUMENT R89-072896, AND AS CREATED BY EASEMENT GRANT RECORDED JUNE 20, 1989 AS DOCUMENT R89-072897, DESCRIBED IN EXHIBITS C1 THROUGH C5 ATTACHED THERETO, FOR THE PURPOSES OF INGRESS AND EGRESS OVER, UPON AND ACROSS EASEMENT PREMISES.

PARCEL 3: A NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF EASEMENTS AND OPERATING COVENANTS RECORDED MAY 29, 2003, AS DOCUMENT R2003-200111, AND RE-RECORDED JANUARY 10, 2006 AS DOCUMENT R2006-005825 AND AMENDED BY R2012-024784 FOR THE PURPOSE OF VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS UPON THE ROADWAYS; RETENTION, DETENTION AND DRAINAGE OF WATER AND OVER COMMON IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO THE CLOCK TOWER, SIDEWALKS, LANDSCAPED AREAS AND POND FOR PEDESTRIAN INGRESS, EGRESS, ACCESS AND FOR PASSIVE RECREATIONAL PURPOSES OVER THE FOLLOWING DESCRIBED LAND: LOTS 1, 2, 3, 4, 6, 7, 8, 9 AND 10 IN OFFICE PARK OF HINSDALE, BEING A SUBDIVISION OF PART OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20, 2002, AS DOCUMENT R2002-243817, IN DU PAGE COUNTY, ILLINOIS.

907 Elm Street (Lot 4) } HINSDALE, IL
12 Salt Creek Lane (Lot 5) } 60521

Plats: 06-01-207-009
06-36-405-019 x (Lot 4)

06-36-405-020 (Lot 5)



MedProperties

January 19, 2018
SUPPLEMENTAL

Salt Creek Lane Monument Sign Proposal

MP
MedProperties
Med Properties
40 Skokie Boulevard, Suite 410
Northbrook, IL 60062

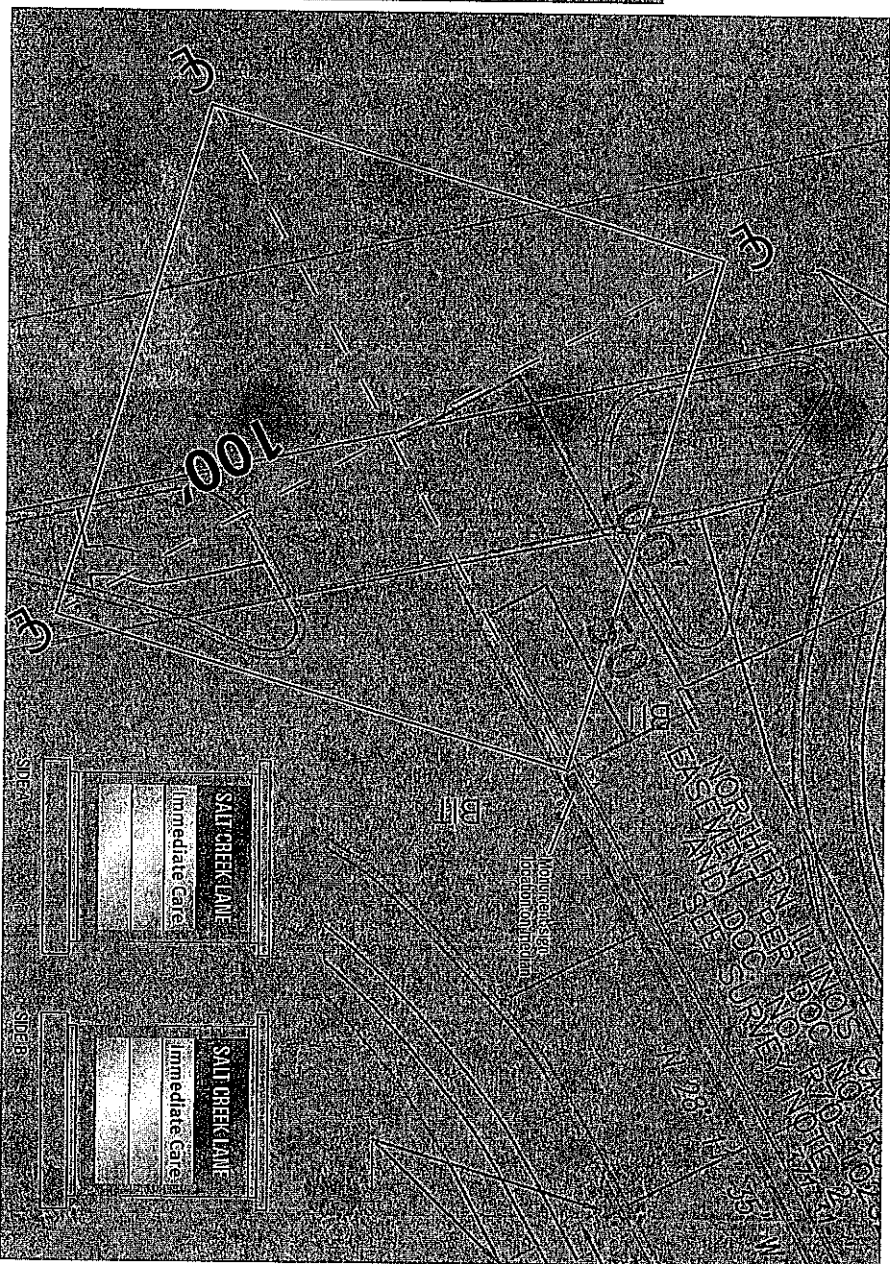
Cardinal Kiper Design Group
2437 South Western Avenue
Chicago, Illinois 60608

P 773.623.0300
F 773.623.0305
www.ckdgr.com

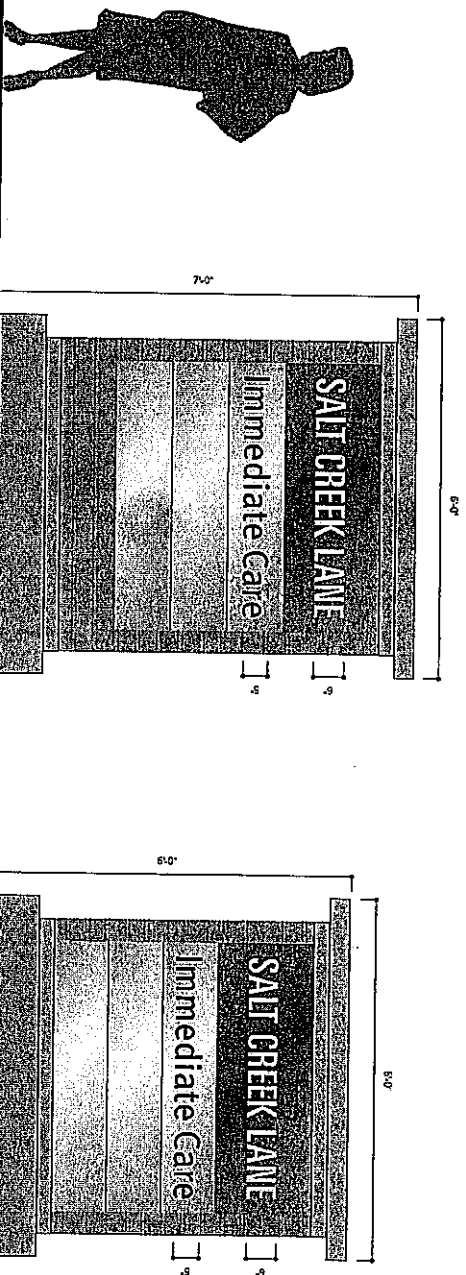
Phase 1 & Construction Documents
Salt Creek Medical Campus
Mundelein, Illinois

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Monument Options



Scale: 1/2" = 1'

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Northbrook, IL 60062

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3437 South Western Avenue
Chicago, Illinois 60608

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F 773.523.9905
www.crk-dg.com

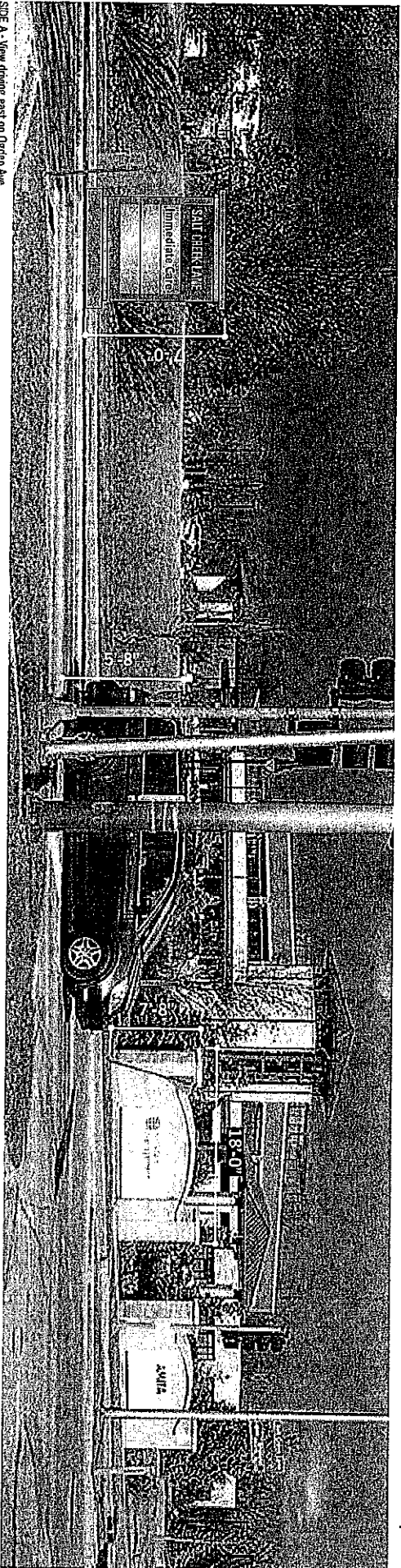
Phase 4.0 Construction Documents
Salt Creek Medical Campus
Mundelein, Illinois

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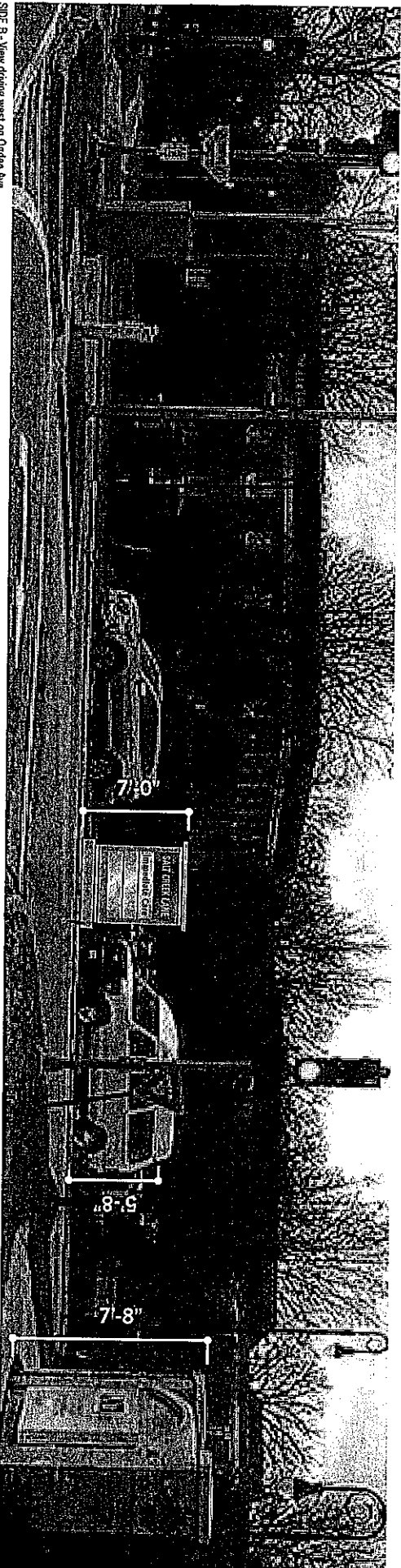
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Rendering on Location

Option 1



SIDE A - View driving east on Ogden Ave



SIDE B - View driving west on Ogden Ave

KIPER
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Northbrook, IL 60062

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Chicago, Illinois 60608

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F 773.523.9305
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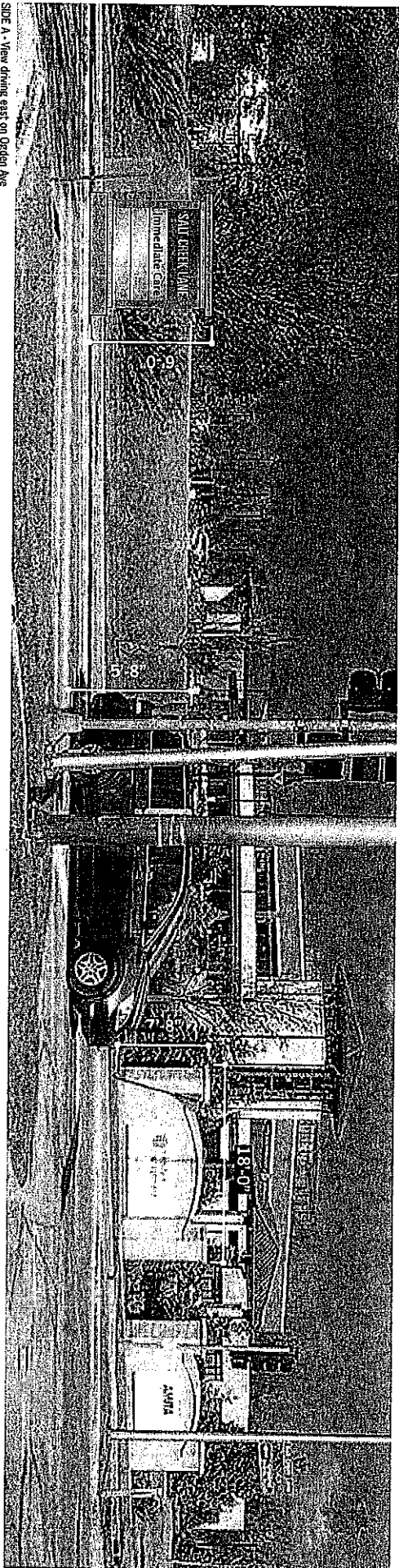
Phase A-0 Construction Documents
Salt Creek Medical Campus
Mundelein, Illinois

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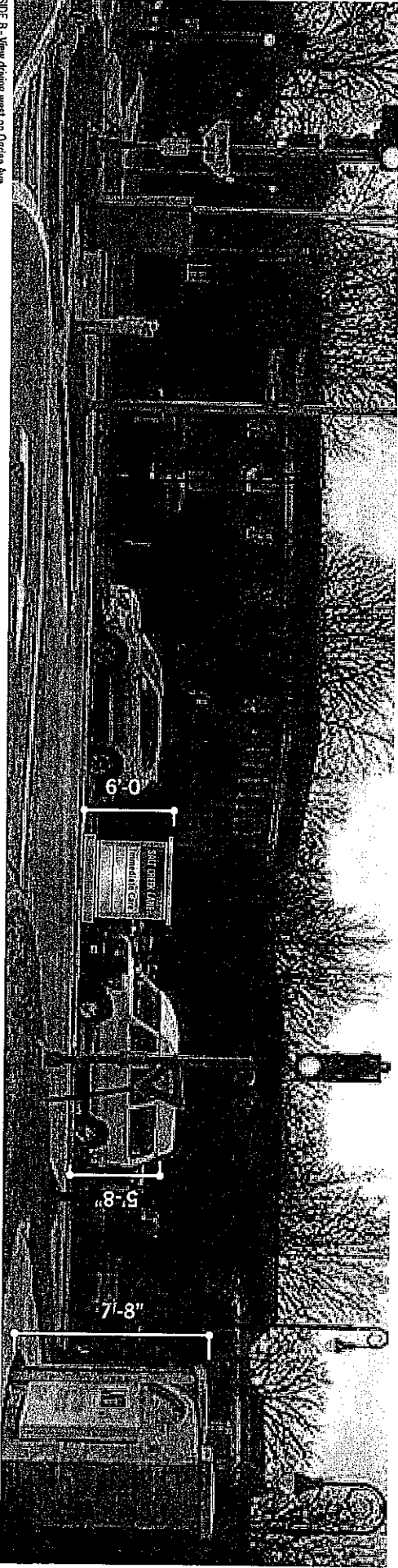
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Rendering on Location

Option 2



SIDE A - View driving east on Ogden Ave



SIDE B - View driving west on Ogden Ave

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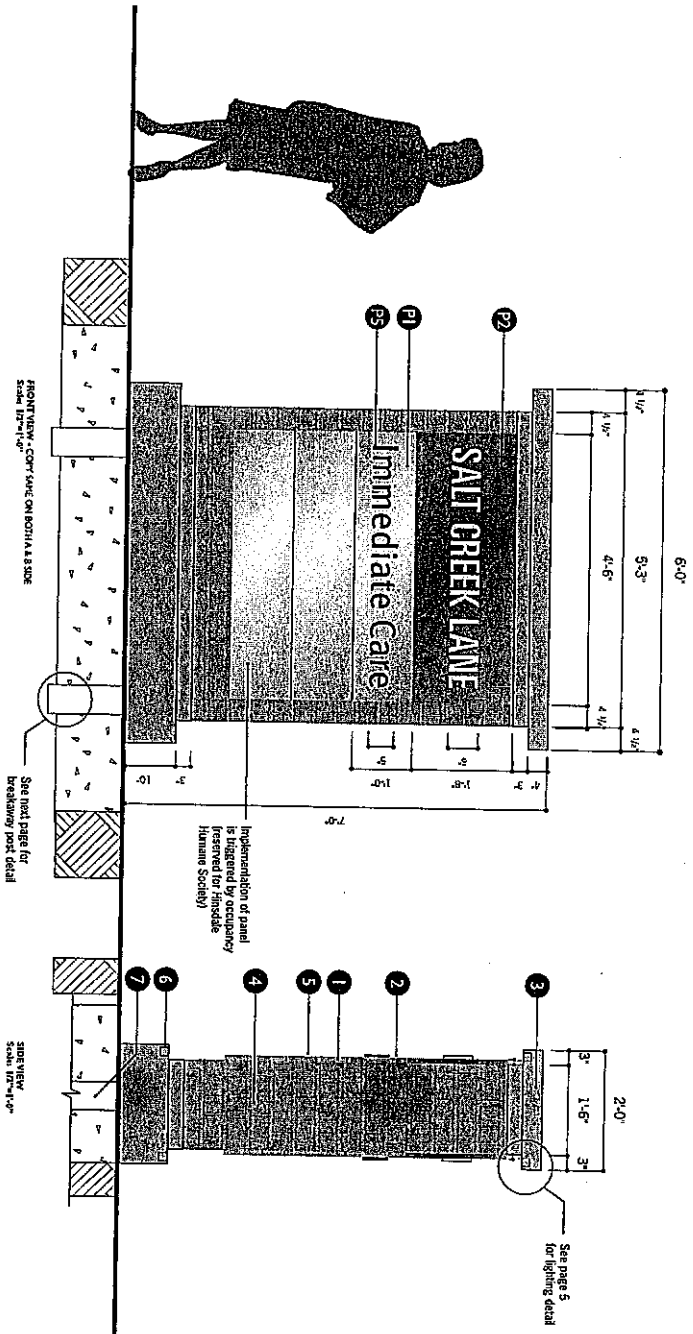
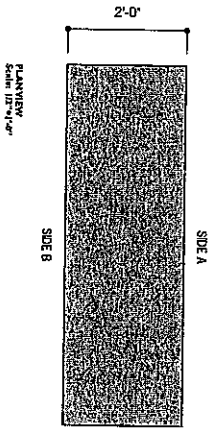
Phase 1.0 Construction Documents
Solt Creek Medical Campus
Hinsdale, Illinois

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Construction Documents

Breakaway Sign Construction*



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Northbrook, IL 60062

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F 773.523.0905
www.c-k-d.com

Phase 4.0 Construction Documents
Salt Creek Medical Campus
Moline, Illinois

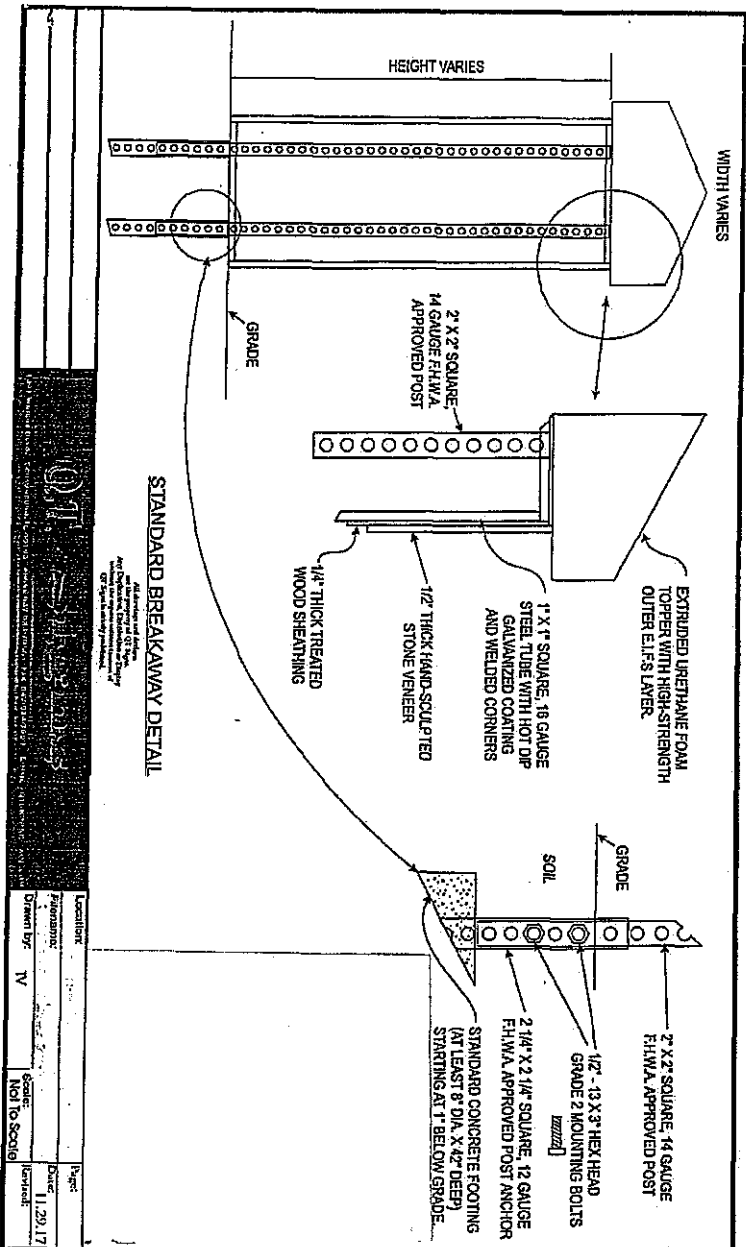
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1. Aluminum sign structure with removable panels. No exposed fasteners. Sign construction to have appropriate interior breakaway structure.
 2. Routed day/night LED illuminated push thru acrylic letters, flush with sign face. Allow for appropriate letter tracking for optimum illumination. Lettering appears black during the day and illuminates white at night.
 3. Simulated limestone cap with recessed light source to highlight sign.
 4. Thin brick veneer over appropriate breakaway structure. Thin brick veneer to match existing site signage.
 5. 1" aluminum pan (P2) with illuminated push thru day/night acrylic letters 1/2" from pan face.
 6. Simulated limestone base with recessed light source to highlight sign.
 7. All foundations and footings to be adequate for IDOT approved breakaway designed poles (see detail on next page).
- GENERAL NOTES**
- A. Sign faces to have absolutely no "oil-canning."
 - B. Sign fabricator to repair any damage to landscaping during installation.
 - C. Sign fabricator to field verify each location and provide elevations of each with grading shown.
 - D. All drawings to be stamped and sealed by a licensed engineer.
 - E. All signs to be readily accessible for bulb replacement.
 - F. All signs to be controlled by a single astronomical time clock timer.
 - G. Signs to be installed and connected to power provided by owner.
 - H. Internally illuminated with LED.
- * Sign Construction will be built with IDOT certified breakaway technology. It will be done pursuant to IDOT specifications even though not a requirement and just a suggestion. The IDOT certified Sign Contractor will certify/verify that the sign is being built to those specifications.

Breakaway Post Detail

Drawing & Narrative Provided by QT Signs



Breakaway Construction*

The sign will be manufactured with an approved breakaway interior structure and IDOT approved breakaway poles.

This design to collapse under a 10 mph crash.

Colors/shield tubing 16 Gauge

Telespar breakaway sign poles approved by F.H.W.A. (Federal Highway Administration)

Standard metal mesh

Thin brick veneer to match existing signs

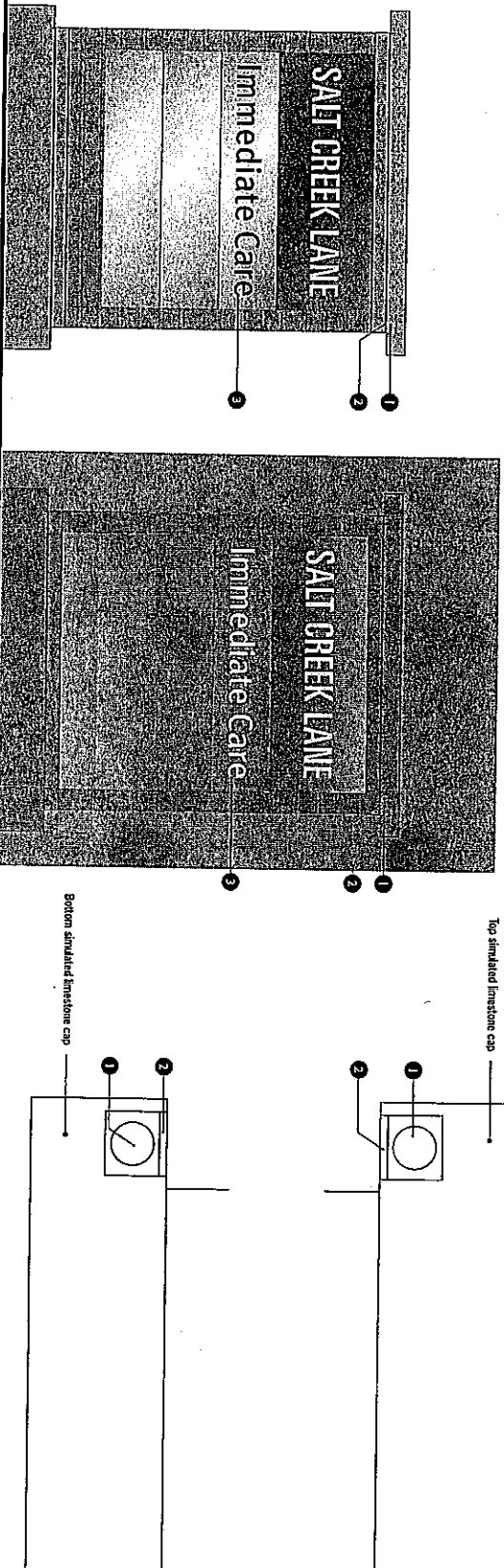
Aluminum sign panels

Simulated limestone base and cap

* Sign Construction will be built with IDOT certified breakaway technology. It will be done pursuant to IDOT specifications even though not a requirement and just a suggestion. The IDOT certified Sign Contractor will certify/verify that the sign is being built to those specifications.

Lighting Detail

- 1 LED lighting to be recessed into the top and bottom of simulated limestone caps and run the width and depth of the sign. LED light source to wash the face of the brick.
- 2 Acrylic lens.
- 3 Day/Night LED illuminated acrylic push thru letters. Lettering appears black during the day and illuminates white at night.



DAYTIME
Scale 1/8"=1'-0"

NIGHTTIME
Scale 1/8"=1'-0"

SECTIONVIEW

Med Properties
40 Skolin Boulevard, Suite 410
Northbrook, IL 60062

Cardinal Kiper Design Group
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Chicago, Illinois 60608

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Phase 4.0 Construction Documents
Salt Creek Medical Campus
Mundelein, Illinois

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ARROWS



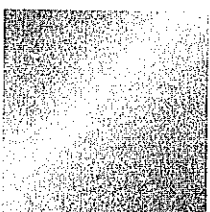
META OFFICE BOOK

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz
1234567890

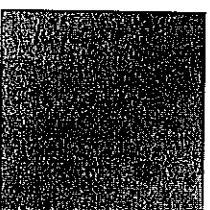
UNIVERS 59 ULTRA CONDENSED

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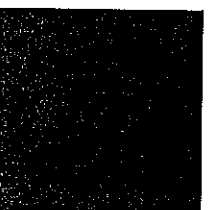
COLORS



P1
P1P10077 Pale Silver Metallic

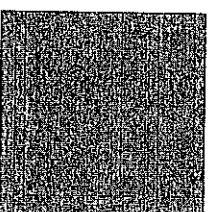


P2
P2P10207 Slate Metallic

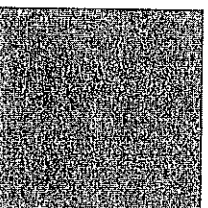


P3
Black

MATERIALS



Thin brick veneer to match
existing signs



Simulated limestone to match
existing signs

8e

MEMORANDUM

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

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

DATE: February 13, 2018

RE: Zoning Variation – V-03-18; 842 W. 7th Street

In this application for variation, the applicant requests relief from the minimum corner side yard requirements set forth in section 10-105 (A)(3) for the construction of a new single family home. The applicant is requesting an 7.52' reduction in the required corner side yard setback from 15' to 7.48'.

This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the south side of 7th Street between Jackson and Stough. The property has a frontage of approximately 45', a depth of approximately 125', and a total square footage of approximately 5,625. The maximum FAR is approximately 2,800 square feet, the maximum allowable building coverage is 25% or approximately 1,406 square feet, and the maximum allowable lot coverage is 60% or approximately 3,375 square feet.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-03-18



ROBERTS
DESIGN & BUILD

March 9, 2018

Mr. Robb McGinnis
Building Commissioner
Village of Hinsdale
19 East Chicago Avenue
Hinsdale, Illinois 60521-3431

Re: Zoning Calendar V-03-18 – 842 West Seventh Street, Hinsdale, IL 60521

Dear Mr. McGinnis

After discussions with our client regarding the above zoning public hearing my client would like to withdrawal our application for the variance for this meeting so that we can resubmit a new application for variance based on findings from the informal Zoning Meeting held on February 22, 2018. At that meeting the Zoning Board discussed our option to reduce the variation for a sideyard setback to half what we were requesting and we have considered that. We would like to add to the variance application a request for a variance in building coverage to equal the building coverage of the 47' x 125 lots adding a total of 62.5 s.f. for this property.

We will provide a new Variance Application for this request and ask if we do not need the informal Zoning Board meeting and can go directly to the main Zoning Board meeting.

We apologize for doing this late but are confident this may be a better solution for everyone.

Sincerely,

Daniel J. Roberts