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**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
JULY 17, 2019**

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, July 17, 2019 at 6:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. ROLL CALL

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

Absent: Member Keith Giltner

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

3. ROLL CALL

4. APPROVAL OF MINUTES

a) Meeting of March 20, 2019

Following corrections to the draft minutes, Member Moberly moved to **approve the minutes of the regular meeting of March 20, 2019, as amended.** Member Alesia seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Member Giltner

Motion carried.

b) Meeting of June 19, 2019

There being no corrections to the draft minutes, Member Moberly moved to **approve the minutes of the regular meeting of June 19, 2019, as presented.** Member Engel seconded the motion.

AYES: Members Moberly, Murphy, Engel and Podliska

NAYS: None

ABSTAIN: Member Alesia and Chairman Neiman

ABSENT: Member Giltner

Motion carried.

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2 **5. APPROVAL OF FINAL DECISIONS – None**
3

4 **6. RECEIPT OF APPEARANCES** –Court Reporter Kathy Bono administered the
5 oath to all persons intending to speak at this evenings proceedings.
6

7 **7. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO MAKE**
8 **PUBLIC COMMENT OF A GENERAL NATURE – None**
9

10 **8. PRE-HEARING AND AGENDA SETTING**

11 a) **V-02-19, 11 West Sixth Street**

12 Ms. Mary Jawor, homeowner, addressed the Board stating they are asking for
13 a variance to build a semi-circular driveway in the front yard. The code
14 requires 75' feet of frontage, but they only have 67' feet. She explained that
15 in 1987 her property was split from the house on Fifth Street. They bought
16 the house in 1994. At that time there was parking on the street, but as a
17 result of neighbor complaints during renovation of another home in the area,
18 the Village prohibited street parking in 1998. They talked about installing a
19 driveway at that time, but elected not to because of two thriving river birch
20 trees. The trees aged out and have been removed, so now is the time to
21 consider the driveway again. She also noted there is no sidewalk on the
22 block. Chairman Neiman asked if one of the reasons for the driveway was to
23 provide more parking for guests. She confirmed this is the case; currently
24 four cars fit on the driveway, but a circular driveway would add two or three
25 more spots. Member Alesia noted there is another circular driveway on the
26 north side of the street, and wondered if that was granted by variance. Mr.
27 McGinnis stated he would check. Ms. Jawor was advised to clarify any safety
28 issues for the hearing, to represent the neighbor's approval of the proposed
29 driveway if possible, and to be prepared to address each of the approving
30 criteria.

31 Chairman Neiman set the public hearing for the next Zoning Board meeting to
32 be held in August.
33

34 **9. PUBLIC HEARING**

35 a) **V-01-19, 303 East Chicago Avenue**

36 Chairman Neiman opened the hearing. Mr. Paul Swensen, property owner,
37 and Mr. Dennis Parsons, architect on the project, addressed the Board. Mr.
38 Swensen explained this is a request for a variance to build a new garage; the
39 old garage is decrepit. He pointed out they originally asked for a side and
40 rear yard variance, but staff said there was no need for the rear yard request.
41 With respect to the ash tree on the property, they estimated the tree to be 100
42 years old. However, after conferring with Village Forester John Finnell, Mr.
43 Finnell indicated the tree was more likely between 40-60 years old, but the life
44 expectancy of a white ash tree is up to 260 years. Mr. Finnell advised them
45 to keep the foundation of the garage as far away from the tree as possible, for
46 protection of the tree. Mr. Finnell's emails were provided for the record; Mr.
47 Parsons also distributed an article on preserving trees for Board members.

1 Chairman Neiman confirmed one of the reasons for relocating the garage is to
2 protect the tree. Mr. Swensen said letters were sent to area neighbors, there
3 was no opposition to the request, and there were four letters in support from
4 the adjacent neighbors and two directly across the street. Copies were
5 distributed to the Board. Mr. Parsons referenced the site plan for the project
6 which illustrates the buildable area of the property. They would not be able to
7 build the garage without the variation because although the lot is wide, it is
8 unusually shallow. He pointed out there would be no change to the grading of
9 the property, and no re-contouring, therefore no issue with water. The new
10 garage would be bigger, but still within requirements for lot coverage,
11 impervious area and floor area ratio (FAR). He noted that water drains
12 toward the railroad track anyway.

13
14 Member Alesia moved to **close the public hearing for V-01-19, 303 East**
15 **Chicago Avenue.** Member Podliska seconded the motion.

16
17 **AYES:** Members Moberly, Alesia, Murphy, Engel, Podliska and Chairman
18 Neiman

19 **NAYS:** None

20 **ABSTAIN:** None

21 **ABSENT:** Member Giltner

22
23 Motion carried.

24 25 **DELIBERATIONS**

26
27 Member Engel began discussion stating that the neighbors are in favor and
28 supportive of the project, it is more likely to improve the area, and is aesthetically
29 pleasing. Additionally, the tree will be saved. Therefore, she is in favor of
30 granting this request. Member Alesia agreed, and noted the uniqueness of the
31 lot size is also persuasive.

32 Member Podliska **moved to grant the variance for V-01-19, 303 East Chicago**
33 **Avenue.** Member Alesia seconded the motion.

34
35 **AYES:** Members Moberly, Alesia, Murphy, Engel, Podliska and Chairman
36 Neiman

37 **NAYS:** None

38 **ABSTAIN:** None

39 **ABSENT:** Member Giltner

40
41 Motion carried.

42 43 **10. NEW BUSINESS**

44 Chairman Neiman recommended the Board discuss the issue that came up in
45 March regarding whether or not the Board can ask for additional information from
46 applicants that might not be provided in their application. This matter will be
47 included as old business at the next meeting of the Zoning Board.

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11. OLD BUSINESS

12. ADJOURNMENT

With no further business before the Zoning Board of Appeals, Member Alesia made a motion to **adjourn the meeting of the Zoning Board of Appeals of July 17, 2019.** Member Podliska seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Member Giltner

Motion carried.

Chairman Neiman declared the meeting adjourned at 6:58 p.m.

Christine M. Bruton

Approved: _____