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**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
AUGUST 21, 2019**

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, August 21, 2019 at 6:310 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. ROLL CALL

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

Absent: Member Kathryn Engel

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

3. APPROVAL OF MINUTES

a) **Meeting of July 17, 2019**

Following corrections to the draft minutes, Member Moberly moved to **approve the minutes of the regular meeting of July 17, 2019, as amended.** Member Alesia seconded the motion.

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

NAYS: None

ABSTAIN: Member Giltner

ABSENT: Member Engel

Motion carried.

4. APPROVAL OF FINAL DECISIONS

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

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, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: Member Giltner

ABSENT: Member Engel

Motion carried.

5. RECEIPT OF APPEARANCES – None

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

4 **7. PRE-HEARING AND AGENDA SETTING**

5 a) **V-03-19, 400 S. Pamela Circle**

6 Ms. Karen Eck, homeowner, addressed the Board, stating they need a
7 variance to build a 25' x 30' sport court. There exists a 6' foot fence around
8 their yard that backs up to Oak Street, Oak School and Safety Village. She
9 explained they got a variance for the 6' foot fence in 2003. She said the yard
10 is also surrounded by large evergreens; nothing in the yard is visible from the
11 street or outside the fence. She illustrated her yard and the area for the
12 Board with pictures on her phone.

13 She explained they live on a through street, and need the variance because
14 of the lot. If it were a true back yard, a variance would not be required.
15 Director of Community Development/Building Commissioner Robb McGinnis
16 confirmed this lot has a primary and a secondary front yard; the code
17 prescribes a 35' foot setback in secondary yards.

18 Ms. Eck provided a copy of a letter of support from a neighbor to the Board.
19 Chairman Neiman recommended Ms. Eck address more fully the criteria
20 required for approval; particularly the denied substantial right and merely a
21 special privilege criteria.

22 The public hearing was set for the next meeting of the Zoning Board of
23 Appeals.
24

25 **8. PUBLIC HEARING**

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

27 Chairman Neiman announced the applicant in this case has asked for a
28 continuance; the Board expressed no objections to the request.
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30 **9. NEW BUSINESS – None**
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32 **10. OLD BUSINESS**

33 a) **Zoning Board of Appeals authority**

34 Chairman Neiman began discussion explaining that this Board had asked
35 Village counsel for an opinion regarding whether the Zoning Board has the
36 authority to ask for more information when they feel it is necessary. The
37 opinion provided by Village Attorney Michael Marrs states the Board can
38 make reasonable requests, and can continue cases accordingly. However, an
39 applicant can decline a request if they so choose.

40 Discussion followed regarding whether there was merit to amending the
41 application for variation, but consensus was to determine at prehearing, or the
42 public hearing, if more information was necessary rather than unduly burden
43 all applicants at the time of application.
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1 **11. ADJOURNMENT**

2 With no further business before the Zoning Board of Appeals, Member Alesia
3 made a motion to **adjourn the meeting of the Zoning Board of Appeals of**
4 **August 21, 2019.** Member Podliska seconded the motion.

5
6 **AYES:** Members Moberly, Alesia, Giltner, Murphy, Podliska and Chairman
7 Neiman

8 **NAYS:** None

9 **ABSTAIN:** None

10 **ABSENT:** Member Engel

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12 Motion carried.

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

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20 Christine M. Bruton, Village Clerk