



## MEETING AGENDA

**ZONING BOARD OF APPEALS**  
**WEDNESDAY, FEBRUARY 19, 2020**  
**6:30 P.M.**  
**MEMORIAL HALL – MEMORIAL BUILDING**  
**19 E. CHICAGO AVENUE, HINSDALE, IL**  
*(Tentative & Subject to Change)*

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
  - a) Meeting of January 15, 2020
- 4. APPROVAL OF FINAL DECISIONS OR FINDINGS OF FACT**
  - a) V-06-19, 908 N. Elm Street (Findings of Fact)
  - b) V-05-19, 5500 South Grant Street, Hinsdale Central High School (Findings of Fact)
  - c) V-05-19, 5500 South Grant Street, Hinsdale Central High School (Final Decision)
- 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-01-20, 32 Blaine
- 8. PUBLIC HEARING**
- 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.

VILLAGE OF HINSDALE  
ZONING BOARD OF APPEALS  
MINUTES OF THE MEETING  
JANUARY 15, 2020

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, January 15, 2020 at 6:33 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. APPROVAL OF MINUTES

a) Meeting of December 18, 2019

Following changes to the draft minutes, Member Podliska **moved to approve the draft minutes of December 18, 2019, as amended.** Member Engel seconded the motion.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Member Giltner

Motion carried.

4. APPROVAL OF FINAL DECISIONS – None

5. RECEIPT OF APPEARANCES – The court reporter administered the oath to those persons intending to speak during these proceedings.

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

7. PRE-HEARING AND AGENDA SETTING – None

8. PUBLIC HEARING

a) V-06-19, 908 N. Elm Street

Chairman Neiman opened the public hearing. Mr. Jim Doyle and Mr. Ryan DeBari, architects for the project, addressed the Board. Mr. DeBari gave an

overview stating the main entrance at 908 N. Elm Street has a single revolving door, two manual doors and a covered portico. The primary businesses in the building are medical offices, and most patrons have wheelchairs and walkers. They cannot use the revolving door, so they use the manual doors which then stay open too long. It is not possible to control the temperature in the vestibule, creating an uncomfortable situation for those persons waiting in that area. They want to install bi-parting doors which provide greater ease for people coming in and out. The current building exceeds floor area ratio (FAR) as it was built prior to current regulations. Closing in this portico area results in an increase to FAR of 300' square feet or 1%.

Mr. DeBari reviewed the criteria for approval of a variation:

**Unique physical condition:** This building is located in an office park and the parking is underneath the building. The only entrance is on the south side, there is a large circular drop-off, with ADA parking at the entrance.

**Not-self created:** this entrance situation has been in existence since the building was built, it was not created by the applicant.

**Denied substantial rights:** Other buildings in the office park had similar entrance conditions, but have been enclosed, although there may not have been an impact to FAR. The applicant is requesting the same benefits as others enjoy.

**Not merely special privilege:** The purpose of the request is to create a nicer functioning entrance for the building and improve the welfare of the public. There is no profit for the applicant.

**Code and plan purposes:** The temperature control would result in a property that is more energy efficient and additionally better serves the public.

**Essential character of the area:** The proposed design archways are consistent with the existing architecture of this building and others in the office park.

**No other remedy:** This is the main accessible entrance, vehicular and pedestrian traffic cannot be directed to another entrance. This is the best way to fill the need.

Member Moberly asked for a rendering, Mr. DeBari said construction drawings are included in the packet, but not a rendering. He illustrated what the north side atrium looks like, and stated this will match that design. There will be one fixed archway, and one with bi-parting doors. Member Moberly confirmed that this request will be forwarded to the Plan Commission for appearance review. The ZBA is making a recommendation only to the Village Board, and there have been no neighbor comments.

Member Podliska moved to **close the public hearing for V-06-19, 908 N. Elm Street**. Member Moberly seconded the motion.

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

**NAYS:** None

1 **ABSTAIN:** None  
2 **ABSENT:** Member Giltner

3  
4 Motion carried.  
5

## 6 **DELIBERATIONS**

7  
8 Member Murphy began deliberations stating that from personal experience he  
9 can attest to the fact that the current entrance does not function well, and the  
10 proposed change is a good idea. Member Engel agreed the wind is  
11 problematic getting in and out of the building, and agrees the safety and  
12 welfare of patients will be enhanced with the proposed changes. All other  
13 Board members concur.

14 Member Murphy moved to **recommend Village Board approval of the**  
15 **variation known as V-06-19, 908 N. Elm Street.** Member Alesia seconded  
16 the motion.  
17

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

20 **NAYS:** None

21 **ABSTAIN:** None

22 **ABSENT:** Member Giltner  
23

24 Motion carried.  
25

### 26 b) **V-05-19, 5500 South Grant Street, Hinsdale Central High School**

27 Mr. Nick Graal, project architect for Hinsdale Central High School, addressed  
28 the Board regarding the five different requests for relief included in this  
29 application.  
30

31 **Requests #1 & #2:** Quantity of off street parking and landscaping screening  
32 requirements.  
33

34 **Unique physical condition:** The high school has been in this location since  
35 1948; the existing parking does not have landscape screening or islands and  
36 does not meet the current zoning requirements for number of parking spaces.

37 **Not self-created:** The school has expanded over the years, and acquiring  
38 land is cost prohibitive. The demand for student requests for parking far  
39 outweigh the supply, and although the size of the school is not expanding, he  
40 would expect the current demand for parking to continue. They do not want  
41 to sacrifice athletic fields to create more parking. He explained the residential  
42 parcels on the southwest portion of the site are not really feasible to acquire  
43 and would not provide a lot more space. Even if they eliminated the junior  
44 varsity ballfield for parking, they would still be shy of the required parking. It  
45 is not feasible to meet the letter of the code. The staff is accommodated for  
46 parking. Member Moberly pointed out 'need' is subjective for student parking.

47 **Denied substantial rights:** They would not be able to provide the same level  
48 of service to the community, and a parking garage would be a detrimental

1 impact to surrounding properties.

2 **Not merely special privilege:** They want to maintain the status quo and the  
3 current level of athletics on site.

4 **Code and plan purposes:** These variations sought are in line with current  
5 parking.

6 **Essential character of the area:** There is no material detriment to the public  
7 welfare, will not impair adequate light and air, as it is a surface lot; will not  
8 increase congestion, they are adding some spaces, no danger of fire or flood,  
9 storm water management regulations will apply, and will not tax the public  
10 utilities or endanger the public health, safety or welfare.

11 **No other remedy:** They are maximizing the available space on site without  
12 eliminating a baseball field.

13  
14 **Requests #3 & #4:** Fencing for tennis courts, track fields, baseball backstop and  
15 miscellaneous fencing. All are currently on site, and only being replaced, with  
16 the exception of safety sports netting at the junior varsity field to address  
17 community concerns about foul balls.

18  
19 **Unique physical condition:** The junior varsity field is located to adjacent  
20 residential property.

21 Member Alesia asked about community feedback for these projects. Mr. Graal  
22 responded that Mr. John Ochoa contacted them and asked them to look at  
23 softening the edge of the parking lot expansion, and proposed some landscaping  
24 at the eastern edge of the property. They will plant arborvitae at this location,  
25 and try to provide as much landscaping as is feasible. This application is also  
26 before the Plan Commission, and there were some concerns raised about  
27 communication during construction and the possible amount of construction  
28 traffic. They are looking at ways to keep the community and surrounding  
29 neighbors informed on a timely basis. Other than these, there have been no  
30 negative responses.

31 **Not self-created:** These are existing fields and fencing, and the safety netting  
32 for foul balls will protect neighbors.

33 **Denied substantial rights:** In order to carry out the letter of the law, the school  
34 would be prevented from providing athletic fields of the same standard as other  
35 schools. The safety netting addresses community concerns.

36 **Not merely special privilege:** The safety netting is in response to community  
37 safety concerns, and chain link fencing is according to general athletic field  
38 standards.

39 **Code and plan purposes:** They are not changing any current use of the fields,  
40 these are primarily maintenance items.

41 **Essential character of area:** The proposed fences and netting will increase area  
42 safety, and will not impact the air and light, traffic or parking, increase the danger  
43 of flood, tax utilities or endanger public health or safety.

44 **No other remedy:** Other fencing types would impair viewing of the athletic fields.

45  
46 **Request #5:** Soccer field accessory structures. Currently there are two player  
47 shelters of a wood stud and siding construction, as well as storage and a press  
48 box building in the center of those.

1  
2 **Unique physical condition:** The current location of the soccer fields cannot be  
3 shifted any further east due to issues with surrounding fields.

4 **Not self-created:** These structures would be replaced one for one in the existing  
5 locations.

6 **Denied substantial rights:** Without the requested relief, they cannot demolish  
7 and rebuild, and could not provide player shelters or a press box. Also, they are  
8 proposing better aesthetic quality materials matching the softball field  
9 administration building. Those player shelters are a more decorative painted  
10 masonry.

11 **Not special privilege:** It is common for soccer fields to have these structures.

12 **Code and plan purposes:** This request is a one to one replacement; there is no  
13 change to what the field currently is.

14 **Essential character:** There will not be a material detriment to the public or  
15 surrounding properties. Light and air will not be impaired; these structures  
16 screened by existing tall evergreen trees and existing grading. The proposed  
17 press box is a standard size. There will be no increase in traffic or parking, will  
18 not increase the danger of flood, tax utilities or endanger public health or safety.

19 **No other remedy:** Without setback relief, these structures will not be able to be  
20 replaced.

21  
22 There were no additional questions from the Board.

23  
24 **Mr. John Ochoa, of 5620 S. Washington,** addressed the Board stating he is in  
25 support of the variations requested. His house abuts the east side of teacher  
26 parking, and the alternatives are less appealing than granting the variations  
27 requested. The fencing on the east side of the parking lot brought this to his  
28 attention, because it borders residential property. He is glad the school district is  
29 proposing a solid fence. He believes the details matter here. He is glad to see  
30 some landscaping in some areas; the arborvitae provided will be beneficial to the  
31 residents. He suggested the school offer to put the landscaping on the  
32 residential side of the fence instead of the school side. Neighbors might actually  
33 appreciate this, and it would do a better job of screening, and not impinge on  
34 possible parking area.

35  
36 Member Alesia moved **to close the public hearing for V-05-19, 5500 South**  
37 **Grant Street, Hinsdale Central High School.** Member Engel seconded the  
38 motion.

39  
40 AYES: Members Moberly, Alesia, Murphy, Engel, Podliska and Chairman Neiman

41 NAYS: None

42 ABSTAIN: None

43 ABSENT: Member Giltner

44  
45 Motion carried.

46  
47 Chairman Neiman called the Board's attention to the memorandum provided by  
48 Village counsel regarding limited level of deference applied to school district

1 requests. Limited standard is that schools are subject to municipal regulations  
2 as long as the ZBA decision does not interfere with the school's ability to perform  
3 their statutory mission, or regulate educational activities.  
4

## 5 DELIBERATIONS

6

7 Member Moberly began deliberation stating he supports these variation requests;  
8 the property is landlocked with limited opportunity for expansion, and the school  
9 gets a lot done within the constraints of the property they own. He doesn't  
10 believe there is another remedy, and cautioned Mr. Ochoa that the Zoning Board  
11 of Appeals may not have the authority to dictate where the school landscapes.  
12 The Plan Commission or Village Board might be able to help with that. Member  
13 Engel agrees with the requests for safety fencing, and believes the parking is  
14 sufficient as long as staff and faculty are accommodated. All other Board  
15 members concur. Chairman Neiman agreed and added that given time the  
16 arborvitae along the soccer field will get big enough to provide adequate  
17 screening. The variation standards have been met for each of the five requests.  
18

19 Mr. McGinnis reminded the Board which of these five requests are final  
20 approvals, and which are recommendations to the Village Board for final  
21 approval. The following motions of the Board reflect this distinction.  
22

23 Member Alesia moved to **recommend Village Board approval of the requests**  
24 **to allow a reduction in required parking and to waive the landscape island,**  
25 **open space buffer and loading space screening requirements.** Member  
26 Engel seconded the motion.  
27

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

29 NAYS: None

30 ABSTAIN: None

31 ABSENT: Member Giltner  
32

33 Motion carried.  
34

35 Member Alesia moved to **recommend Village Board approval of the building**  
36 **height and screening requirements for the construction of two soccer field**  
37 **team shelters and a press box.** Member Engel seconded the motion.  
38

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

40 NAYS: None

41 ABSTAIN: None

42 ABSENT: Member Giltner  
43

44 Motion carried.  
45  
46  
47  
48

1 Member Engel moved to **approve waiving the height limitation of fences for**  
2 **the construction of safety netting and replacement of existing chain link**  
3 **fencing, and to waive the building setback for construction of soccer field**  
4 **team shelters and a press box.** Member Murphy seconded the motion.  
5

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

7 NAYS: None

8 ABSTAIN: None

9 ABSENT: Member Giltner

10  
11 Motion carried.

12  
13 **9. NEW BUSINESS – None**

14  
15 **10. OLD BUSINESS – None**

16  
17 **11. ADJOURNMENT**

18 With no further business before the Zoning Board of Appeals, Member Murphy  
19 made a motion to **adjourn the Zoning Board of Appeals of January 15, 2020.**  
20 Member Podliska seconded the motion.  
21

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

24 **NAYS:** None

25 **ABSTAIN:** None

26 **ABSENT:** Member Giltner

27  
28 Motion carried.

29  
30 Chairman Neiman declared the meeting adjourned at 7:31 p.m.  
31  
32  
33

34 \_\_\_\_\_  
35 Christine M. Bruton  
36  
37

Approved: \_\_\_\_\_



4a

**FINDINGS OF FACT AND RECOMMENDATION OF THE  
VILLAGE OF HINSDALE ZONING BOARD OF APPEALS TO  
THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES**

**ZONING CASE NO:** V-06-19

**PETITIONER:** CBRE, property manager, on behalf of owner GA HC REIT II Hinsdale MOB I.

**APPLICATION:** For a Variation from the floor area ratio requirements set forth in Section 6-111(E) of the Zoning Code of the Village of Hinsdale ("Zoning Code") in order to enclose an entrance into the building at 908 N. Elm Street, Hinsdale, Illinois.

**MEETING HELD:** A Public Hearing was held on Wednesday, January 15, 2020, in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on December 26, 2019.

**PROPERTY:** The subject property is commonly known as 908 N. Elm Street, Hinsdale, Illinois (the "Property") and is legally described in **Exhibit A** attached hereto and made a part hereof.

**SUMMARY OF REQUEST:** The Village of Hinsdale has received a request from Jim Doyle of CBRE, manager of the building on the Property, on behalf of property owner GA HC REIT II Hinsdale MOB I (the "Applicant") for a variation from the floor area ratio (FAR) requirements set forth in Section 6-111(E) of the Zoning Code in order to enclose an entrance into the building (the "Requested Variation"). The existing building is a pre-code structure and is already over the allowable FAR specified in the Zoning Code by 21,240 square feet (43.5% FAR vs. 35% allowed). The specific request is for 294 square feet of relief, an increase of .1%. The Property is located in the O-3 Office District in the Village. The Property is irregularly shaped, and includes 249,889 square feet of lot area.

The Board of Trustees, upon a recommendation from the Zoning Board of Appeals of the Village of Hinsdale ("ZBA"), has final authority over the Requested Variation.

The Requested Variation is described in more detail in the Application, a copy of which is attached hereto as **Exhibit B** and made a part hereof.

On January 15<sup>th</sup>, 2020, following the conclusion of the public hearing on this matter, the ZBA indicated its approval of the Requested Variation on a vote of six (6) in favor, zero (0) opposed, and one (1) absent, and directed the preparation of this Findings and Recommendation.

**PUBLIC HEARING:** At the public hearing on the Requested Variation, Owner's representative Jim Doyle and architect Ryan DeBari testified as the representative of the Applicant on the Variation.

Mr. DeBari testified that the main building entrance at the medical building on the Property has a single revolving door, and two (2) man doors. There is a covered entrance portico that has two (2) large arched openings. Many patrons need assistance with wheelchairs and walkers and canes, and can't get through the standard size revolving door. They instead use the automatic button on the man door, which then stays open for a period of time, allowing cold, heat and debris into the lobby.

The Applicant proposes to fill in and close the archways with an aluminum and glass storefront system in order to create a temperature-controlled vestibule that will create energy efficiency.

The building currently exceeds the FAR as it was constructed long before current zoning regulations. Enclosing the vestibule area will cause an increase to FAR of .1 percent.

Mr. DeBari addressed the standards for receiving a variation and how, in the opinion of the Applicant, the standards had been met. He noted that the building is unique in that, unlike other building in the area, it can be approached only on the south side where the vestibule is proposed. It has a circular drop-off area and a larger, dedicated main entrance than a lot of the other area buildings that have multiple points of entry. The conditions have existed since the original construction of the building. Other buildings in the area have similarly enclosed areas that were previously exterior areas around an entrance. The variation will allow the building to function more effectively and will be a benefit to the public. The variation will increase energy efficiency. The variation and its architecture will make the building consistent with other buildings in the area.

No comments were received from neighbors.

There being no further questions or members of the public wishing to speak on the application, the portion of the Public Hearing related to the Requested Variation was closed.

Members then discussed the Requested Variation and agreed that the standards for variations set forth in 11-503(F) of the Hinsdale Zoning Code had been met. A motion to approve the Requested Variation was made by Member Murphy and seconded by Member Moberly.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Member Giltner

**FINDINGS:** The following are the Findings of the ZBA relative to the Requested Variation:

1. *General Standard: Carrying out the strict letter of the provisions of the Zoning Code would create a particular hardship or a practical difficulty, based on satisfaction of the standards below:*

2. *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, or 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 owner of the lot. The Property hosts a medical building that brings persons with wheelchairs, walkers, canes and the like to the Property. The long existing entrance set-up of a single standard sized revolving door, and man doors that stay open to the elements when automatically opened, results in cold, heat and debris entering the lobby of the building. The configuration of the Property and building results in there being only one main ADA accessible entrance to the building, unlike other nearby properties where buildings typically have multiple entrances.*

3. *Not Self-Created: The 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 the Zoning Code, for which no compensation was paid. The need for the Requested Variation is not self-created, and is in part driven by the long-existing building on the Property, and the original design and configuration of the entrance to that building. The ZBA finds this standard to have been met.*

4. *Denied Substantial Rights: The carrying out of the strict letter of the provisions 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. Other nearby buildings have created similar enclosed entrances. The ZBA finds this standard to have been met.*

5. *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. The Variation is not sought to make more money from use of the Property, but is instead sought in order to benefit the public patrons of the building and to increase energy efficiency. Other nearby buildings have created similar enclosed entrances. The ZBA finds this standard to have been met.*

*6. 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 the Zoning Code and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan. The Variation is consistent with the existing use. The ZBA found this standard to have been met.*

*7. Essential Character Of The Area: The variation would not result in a use or development on the subject property that:*

*(a) would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or (b) would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or (c) would substantially increase congestion in the public streets due to traffic or parking; or (d) would unduly increase the danger of flood or fire; or (e) would unduly tax public utilities and facilities in the area; or (f) would endanger the public health or safety.*

The building on the Property is long-existing. The granting of the Requested Variation will allow an improvement to occur at the Property that will benefit the public patrons, increase energy efficiency, and is consistent with improvements made to other buildings in the area. Utilities are already in place and there will be no traffic impact or other detrimental effects. The Requested Variation will not endanger the public health or safety.

*8. 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 property. The ZBA finds this standard to have been met.*

#### **RECOMMENDATION:**

**Based on the Findings set forth above, the ZBA, by a vote of six (6) in favor, zero (0) opposed and one (1) absent, recommends to the President and Board of Trustees that the following Requested Variation, as described in the Application, a copy of which is attached hereto as Exhibit B and made a part hereof, relative to the enclosure of an entrance area into the building on the Property located in the O-3 Office District at 908 N. Elm Street, be GRANTED:**

- **Variation from the FAR requirements set forth in Section 6-111(E) of the Zoning Code, to allow enclosure of an entrance into the building, resulting in .1% increase in the FAR (an additional 294 square feet).**

Signed: \_\_\_\_\_  
Robert Neiman, Chair  
Zoning Board of Appeals  
Village of Hinsdale

Date: \_\_\_\_\_

**EXHIBIT A**

**LEGAL DESCRIPTION OF THE SUBJECT PROPERTY**

LOT 2 IN OFFICE PARK OF HINSALE, BEING A SUBDIVISION OF PART 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 20, 2002, AS DOCUMENT R2002-243817, IN DUPAGE COUNTY, ILLINOIS

**COMMONLY KNOWN AS: 908 N. Elm Street, Hinsdale, Illinois**  
**PINS: 06-36-405-018 & 09-01-207-008**

**EXHIBIT B**

**APPLICATION FOR VARIATION  
(ATTACHED)**

**FINDINGS OF FACT AND RECOMMENDATION OF THE  
VILLAGE OF HINSDALE ZONING BOARD OF APPEALS TO  
THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES**

**ZONING CASE NO:** V-05-19

**PETITIONER:** ARCON Associates, Inc. on behalf of Hinsdale Township High School District 86

**APPLICATION:** For certain Variations from the Zoning Code of the Village of Hinsdale ("Zoning Code") relative to the replacement and/or construction of new improvements at Hinsdale Central High School, at 5500 S. Grant Street, Hinsdale, Illinois.

**MEETING HELD:** A Public Hearing was held on Wednesday, January 15, 2020, in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on November 28, 2019.

**PROPERTY:** The subject property is commonly known as 5500 S. Grant Street, Hinsdale, Illinois (the "Property") and is legally described in Exhibit A attached hereto and made a part hereof.

**SUMMARY OF REQUEST:** The Village of Hinsdale has received a request from ARCON Associates, Inc., on behalf of property owner Hinsdale Township High School District 86 (the "Applicant") for certain variations relative to the replacement and/or construction of new improvements to the existing building known as Hinsdale Central High School located on the Property at 5500 S. Grant Street (the "Application"). The improvements proposed at this time are Phase I of a program of improvements and upgrades to the High School over the next three (3) years. The general scope of Phase I improvements include a natatorium addition, buildings and grounds addition, parking lot reconfigurations and modifications due to loading dock relocation; associated landscaping, artificial turf replacement, tennis court and fencing replacement, running track and fence replacement, separation of storm and sanitary utilities due to Flagg Creek Water Reclamation District requirements, chain-link baseball field backstop and fence replacement, baseball field sports safety netting installation, privacy fencing, soccer field team shelter and press box replacements, emergency generator replacement, and various other ADA and health/life safety improvements on site (collectively, the "Phase I Improvements").

This Property is located in the IB Institutional Buildings Zoning District in the Village of Hinsdale at the southwest corner of Ogden Avenue and Oak Street.

The Applicant has requested variations to the following Sections of the Village Code and Zoning Code of the Village of Hinsdale ("Zoning Code") over which the Village



President and Board of Trustees, upon a recommendation from the Zoning Board of Appeals of the Village of Hinsdale ("ZBA") has final authority:

- to Section 9-104(J)(1)(e)(xi) of the Zoning Code, to allow a reduction in required parking from 882 to 583 spaces (existing parking count is 560, so Phase I Improvements will actually increase the count to 583);
- to Section 9-104(H)(2)(g & i); 9-105(c)(2); 9-107(A)(1&2); 9-107(B) of the Zoning Code, to provide relief from landscape island, ten (10) foot open space buffer, and loading space screening requirements in order to maximize the number of parking spaces on the Property; and
- to Section 9-107(H)(2) of the Zoning Code, to provide relief from the building setback requirements for the construction of two (2) soccer field team shelters and a press box.

Collectively, these variation requests shall be referred to herein as the "Requested Variations."

In addition to the Requested Variations, additional variations over which the Zoning Board of Appeals of the Village of Hinsdale ("ZBA") has final authority were considered. Those variations were:

- to Section 9-12-3(E) of the Village Code, to allow a fence higher than the eight (8) foot limitation on fences in order to provide for the construction of safety netting at the baseball field on the northeast corner of Grant and 57th Street; and
- to Section 9-12-3(D & E) of the Village Code and Section 7-310 of the Zoning Code, to allow a fence higher than the eight (8) foot height limitation on fences and to allow a location for such fences where not otherwise allowed by the setback requirements in order to provide for the like-kind replacement of the existing chain link tennis court fencing, track fencing, baseball field backstop and miscellaneous athletic field fencing; and
- to Section 7-310 of the Zoning Code to allow building height and screening requirements in excess of those allowed by the Zoning Code for the construction of two (2) soccer field team shelters and a press box

Together, these are the "Additional Variations" and, collectively with the Requested Variations, the "Variations". The final decision of the ZBA on the Additional Variations is detailed in a separate Final Decision issued by the ZBA. The collective Variations are all described in more detail in the Application, a copy of which is attached hereto as **Exhibit B** and made a part hereof.

On January 15<sup>th</sup>, 2020, following the conclusion of the public hearing on this matter, the ZBA indicated its approval of the Requested Variations on a vote of six (6) in favor, zero

(0) opposed, and one (1) absent, and directed the preparation of this Findings and Recommendation.

**PUBLIC HEARING:** At the combined public hearing on the Variations, Project Architect Nick Graal testified as the representative of the Applicant on the Variations.

The representative of Applicant reviewed the Variations for the benefit of the ZBA, and how, in the opinion of the Applicant, the standards for Variations had been met.

In terms of the variation for off-street parking and the off-street parking lot and loading zone landscape and screening requirement, the representative of Applicant noted that the Property has been an existing public high school since 1948. The existing parking facilities do not currently have landscape screening or landscape islands, and the current parking lot count does not meet the count requirements. The high school has expanded throughout the years as population and academic needs have grown and changed, but additional land acquisitions are limited and cost prohibitive due to land value in the area. They are proposing an expansion of the southeast parking lot, and proposing alleviation of the landscape and screening requirements in order to maximize the amount of parking provided onsite. Current parking demands outweigh available parking. There is enough parking for staff, but there is a high request for student parking, despite busing being available throughout the District.

None of the Phase I Improvements expand the student population, but are instead addressing current needs of the facility. They are attempting to increase parking to accommodate demand, but cannot provide an increase if required to meet landscape island and other requirements. Meeting the required parking requirements in the Zoning Code would require removal of the junior varsity baseball field, and even then, the Code requirements could not be met. If current facilities are sacrificed to meet parking requirements, the High School will not be able to provide the same level of service to the community as it does today.

A parking garage was not part of the referendum that is funding the Phase I Improvements, and a parking garage may have a severe detrimental impact on surrounding properties. It was noted that the Variations may decrease congestion in the public streets due to the added parking spaces.

The representative of the Applicant then addressed the Variations for tennis court fencing, track fencing, baseball field backstop and fencing and miscellaneous athletic field fencing. All fields are currently fenced; the Variations address replacement of existing fencing. The Applicant also proposes a Variation to allow protective netting in the form of safety sports netting, at the Junior Varsity Baseball Field, to address some community concerns regarding foul balls and home runs. The position of the Junior Varsity Baseball Field on the lot relative to the adjacent properties to the east and south creates a unique physical condition. The safety netting would prevent foul balls from going off-site, and home runs from striking vehicles in the parking lot. The Phase I Improvements will increase the safety

of the area. Fencing materials other than chain-link would prevent viewing the sports activities taking place.

While the Applicant is seeking a Variation for landscape screening, it does intend to provide landscaping to the extent feasible at the perimeter of the parking lot expansion, including about seventeen (17) six-foot (6') tall Arborvitaes.

The Variation for the soccer field accessory structures was also addressed. The existing physical layout of the site presents design challenges, as does the existing water tower public utility on-site. Grading issues prevent shifting the soccer field any further east. The only practical solution is to replace the player shelters and press box in their current locations within the setback. Better quality materials matching the aesthetic of the softball field are proposed. The structures are screened by existing, very tall evergreen trees and grading on the east end portion of the site. A height Variation is sought to allow the press box to be nineteen (19) feet tall, which, according to the representative of the Applicant, is a pretty standard height for site lines from a press box.

During his presentation, the representative of the Applicant answered various questions posed by the members of the ZBA.

John Ochoa of 5620 S. Washington was present to express general support for the Variations. His home abuts the east side of the teacher's parking lot. He stated that the Variations are more appealing than the alternatives necessary to meet Code.

There being no further questions or members of the public wishing to speak on the application, the portion of the Public Hearing related to the Requested Variations was closed.

Members discussed the Requested Variations and agreed that the standards for variations set forth in 11-503(F) of the Hinsdale Zoning Code had been met. Motions to approve the Requested Variations were made by Member Alesia and seconded by Member Engel.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Member Giltner

**FINDINGS:** The following are the Findings of the ZBA relative to the Requested Variations:

1. *General Standard: Carrying out the strict letter of the provisions of the Zoning Code would create a particular hardship or a practical difficulty, based on satisfaction of the standards below:*

2. *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, or 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 owner of the lot. The Property is landlocked and there are limited opportunities for expansion. All members agree that the long-existing precode school structure on the Property, along with the physical layout of the structures, athletic fields, uses and parking on the Property, proximity of the use to the adjacent neighbors, safety concerns, and landlocked nature of the Property, are driving the request for the Requested Variations and create a unique physical condition. The Requested Variations in some cases concern like-kind replacements of existing fences and other structures.*

3. *Not Self-Created: The 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 the Zoning Code, for which no compensation was paid. The need for the Requested Variations is not self-created, and is in part driven by the existing physical conditions present on the Property, and the landlocked nature of the Property. The ZBA finds this standard to have been met.*

4. *Denied Substantial Rights: The carrying out of the strict letter of the provisions 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. In this case, requiring the Applicant to conform to the provisions of the Zoning Code for which relief is sought would cause the loss of various on-site amenities to the community provided by Applicant, and would negatively impact both the neighbors and the Applicant's ability to serve the community. The proposed parking expansion will actually decrease the extent of an existing non-conformity in the same manner as other comparable schools.*

5. *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. The Variations are not sought to make more money from use of the Property, but are instead*

sought in order to make necessary improvements to the Property without negatively impacting site conditions and adjacent neighbors.

6. *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 the Zoning Code and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan. The Variations are consistent with the existing use. The ZBA found this standard to have been met.*

7. *Essential Character Of The Area: The variation would not result in a use or development on the subject property that:*

*(a) would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or (b) would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or (c) would substantially increase congestion in the public streets due to traffic or parking; or (d) would unduly increase the danger of flood or fire; or (e) would unduly tax public utilities and facilities in the area; or (f) would endanger the public health or safety.*

The granting of the Requested Variations will allow needed improvements to occur at the Property, without negatively impacting existing site amenities or adjacent neighbors. The building, fields, fencing and other structures already exist, and the utilities are already in place. The Requested Variations will not endanger the public health or safety.

8. *No Other Remedy: There is no means other than the requested variations 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. Limited options exist at this landlocked site. The ZBA finds this standard to have been met.*

#### **RECOMMENDATION:**

**Based on the Findings set forth above, the ZBA, by a vote of six (6) in favor, zero (0) opposed and one (1) absent, recommends to the President and Board of Trustees that the following Requested Variations, as described in the Application, a copy of which is attached hereto as Exhibit B and made a part hereof, relative to construction of the Phase I Improvements located in the IB Institutional Building Zoning District at 5500 S. Grant Street, be GRANTED:**

- **to Section 9-104(J)(1)(e)(xi) of the Zoning Code, to allow a reduction in required parking from 882 to 583 spaces (existing parking count is 560, so Phase I Improvements will actually increase the count to 583);**

- to Section 9-104(H)(2)(g & i); 9-105(c)(2); 9-107(A)(1&2); 9-107(B) of the Zoning Code, to eliminate the landscape island, ten (10) foot open space buffer and screening requirements in the existing/modified parking lot west of Grant Street, existing parking lot east of Grant Street and the new parking lot extension east of Grant Street, and eliminate the loading space screening requirements, all in order to maximize the number of parking spaces on the Property; and
- to Section 9-107(H)(2) of the Zoning Code, to provide relief from the building setback requirements for the construction of two (2) soccer field team shelters and a press box in a corner yard setback.

Signed: \_\_\_\_\_  
Robert Neiman, Chair  
Zoning Board of Appeals  
Village of Hinsdale

Date: \_\_\_\_\_

## **EXHIBIT A**

### **LEGAL DESCRIPTION OF THE SUBJECT PROPERTY**

**PARCEL I:** LOTS 1 AND 2, IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PARINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL II:** THE EAST 350 FEET OF THE NORTH HALF OF THE NORTH HALF OF LOT 3, IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL III:** THE EAST 350 FEET OF THE SOUTH HALF OF THE NORTH HALF OF LOT 3, IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL IV:** THE NORTH HALF OF LOT 3 (EXCEPT THE EAST 350 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL V:** THE SOUTH HALF OF THE NORTH HALF (EXCEPT THE EAST 350 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL VI:** THE SOUTH HALF OF LOT 3, IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND

THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL VII:** THE NORTH HALF OF LOT 4, (EXCEPT THE EAST 200 FEET THEREOF) IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL VIII:** LOT 1, IN PENZES RESUBDIVISION OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL IX:** LOT 5, (EXCEPT THE EAST 150 FEET THEREOF), IN PENZES RESUBDIVISION OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL X:** THE WEST 75 FEET OF THE EAST 150 FEET OF LOT 5, IN PENZES RESUBDIVISION OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL XI:** THE EAST 75 FEET OF LOT 5, IN PENZES RESUBDIVISION OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF



SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL XII:** THE EAST 60 FEET OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL XIII:** THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THE SOUTH 33 FEET THEREOF, IN DUPAGE COUTNY, ILLINOIS

**PARCEL XIV:** LOTS 11 THROUGH 20, BOTH INCLUSIVE, IN BLOCK 2, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**COMMONLY KNOWN AS: 5500 South Grant Street, Hinsdale, Illinois**

**PINS: 09-13-100-017, 09-13-100-008, 09-13-100- 011, 09-13-100-012, 09-13-100-013, 09-13-100-014, 09-13-100-015 & 09-13-101-027**

**EXHIBIT B**

**APPLICATION FOR VARIATIONS**

4c

## FINAL DECISION

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

**ZONING CASE NO:** V-05-19

**PETITIONER:** ARCON Associates, Inc. on behalf of Hinsdale Township High School District 86

**APPLICATION:** For certain Variations from the Zoning Code of the Village of Hinsdale ("Zoning Code") relative to the replacement and/or construction of new improvements at Hinsdale Central High School, at 5500 S. Grant Street, Hinsdale, Illinois.

**MEETING HELD:** A Public Hearing was held on Wednesday, January 15, 2020, in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on November 28, 2019.

**PROPERTY:** The subject property is commonly known as 5500 S. Grant Street, Hinsdale, Illinois (the "Property") and is legally described in Exhibit A attached hereto and made a part hereof.

**SUMMARY OF REQUEST:** The Village of Hinsdale has received a request from ARCON Associates, Inc., on behalf of property owner Hinsdale Township High School District 86 (the "Applicant") for certain variations relative to the replacement and/or construction of new improvements to the existing building known as Hinsdale Central High School located on the Property at 5500 S. Grant Street (the "Application"). The improvements proposed at this time are Phase I of a program of improvements and upgrades to the High School over the next three (3) years. The general scope of Phase I improvements include a natatorium addition, buildings and grounds addition, parking lot reconfigurations and modifications due to loading dock relocation; associated landscaping, artificial turf replacement, tennis court and fencing replacement, running track and fence replacement, separation of storm and sanitary utilities due to Flagg Creek Water Reclamation District requirements, chain-link baseball field backstop and fence replacement, baseball field sports safety netting installation, privacy fencing, soccer field team shelter and press box replacements, emergency generator replacement, and various other ADA and health/life safety improvements on site (collectively, the "Phase I Improvements").

This Property is located in the IB Institutional Buildings Zoning District in the Village of Hinsdale at the southwest corner of Ogden Avenue and Oak Street.

The Applicant has requested variations to the following Sections of the Village Code and Zoning Code of the Village of Hinsdale ("Zoning Code") over which the Zoning Board of Appeals of the Village of Hinsdale ("ZBA") has final authority:

- to Section 9-12-3(E) of the Village Code, to allow a fence higher than the eight (8) foot limitation on fences in order to provide for the construction of safety netting at the baseball field on the northeast corner of Grant and 57th Street; and
- to Section 9-12-3(D & E) of the Village Code and Section 7-310 of the Zoning Code, to allow a fence higher than the eight (8) foot height limitation on fences and to allow a location for such fences where not otherwise allowed by the setback requirements in order to provide for the like-kind replacement of the existing chain link tennis court fencing, track fencing, baseball field backstop and miscellaneous athletic field fencing; and
- to Section 7-310 of the Zoning Code to allow building height and screening requirements in excess of those allowed by the Zoning Code for the construction of two (2) soccer field team shelters and a press box

Collectively, these variation requests shall be referred to herein as the "Requested Variations."

In addition to the Requested Variations, additional variations over which the Village President and Board of Trustees have final authority were sought and recommended for approval by the ZBA. Those variations were:

- to Section 9-104(J)(1)(e)(xi) of the Zoning Code, to allow a reduction in required parking from 882 to 583 spaces (existing parking count is 560, so Phase I Improvements will actually increase the count to 583);
- to Section 9-104(H)(2)(g & i); 9-105(c)(2); 9-107(A)(1&2); 9-107(B) of the Zoning Code, to provide relief from landscape island, ten (10) foot open space buffer, and loading space screening requirements in order to maximize the number of parking spaces on the Property;
- to Section 9-107(H)(2) of the Zoning Code, to provide relief from the building setback requirements for the construction of two (2) soccer field team shelters and a press box.

Together, these are the "Additional Variations" and, collectively with the Requested Variations, the "Variations". The findings and recommendation of the ZBA on the Additional Variations are detailed in a separate Findings and Recommendation from the ZBA to the Board of Trustees in this matter. The collective Variations are all described in more detail in the Application, a copy of which is attached hereto as **Exhibit B** and made a part hereof.

On January 15<sup>th</sup>, 2020, following the conclusion of the public hearing on this matter, the ZBA indicated its approval of the Requested Variations on a vote of six (6) in favor,

zero (0) opposed, and one (1) absent, and directed the preparation of this Final Decision.

**PUBLIC HEARING:** At the combined public hearing on the Variations, Project Architect Nick Graal testified as the representative of the Applicant on the Variations.

The representative of Applicant reviewed the Variations for the benefit of the ZBA, and how, in the opinion of the Applicant, the standards for Variations had been met.

In terms of the variation for off-street parking and the off-street parking lot and loading zone landscape and screening requirement, the representative of Applicant noted that the Property has been an existing public high school since 1948. The existing parking facilities do not currently have landscape screening or landscape islands, and the current parking lot count does not meet the count requirements. The high school has expanded throughout the years as population and academic needs have grown and changed, but additional land acquisitions are limited and cost prohibitive due to land value in the area. They are proposing an expansion of the southeast parking lot, and proposing alleviation of the landscape and screening requirements in order to maximize the amount of parking provided onsite. Current parking demands outweigh available parking. There is enough parking for staff, but there is a high request for student parking, despite busing being available throughout the District.

None of the Phase I Improvements expand the student population, but are instead addressing current needs of the facility. They are attempting to increase parking to accommodate demand, but cannot provide an increase if required to meet landscape island and other requirements. Meeting the required parking requirements in the Zoning Code would require removal of the junior varsity baseball field, and even then, the Code requirements could not be met. If current facilities are sacrificed to meet parking requirements, the High School will not be able to provide the same level of service to the community as it does today.

A parking garage was not part of the referendum that is funding the Phase I Improvements, and a parking garage may have a severe detrimental impact on surrounding properties. It was noted that the Variations may decrease congestion in the public streets due to the added parking spaces.

The representative of the Applicant then addressed the Variations for tennis court fencing, track fencing, baseball field backstop and fencing and miscellaneous athletic field fencing. All fields are currently fenced; the Variations address replacement of existing fencing. The Applicant also proposes a Variation to allow protective netting in the form of safety sports netting, at the Junior Varsity Baseball Field, to address some community concerns regarding foul balls and home runs. The position of the Junior Varsity Baseball Field on the lot relative to the adjacent properties to the east and south creates a unique physical condition. The safety netting would prevent foul balls from going off-site, and home runs from striking vehicles in the parking lot. The Phase I Improvements will increase the safety of the area. Fencing materials other than chain-link would prevent viewing the sports activities taking place.

While the Applicant is seeking a Variation for landscape screening, it does intend to provide landscaping to the extent feasible at the perimeter of the parking lot expansion, including about seventeen (17) six-foot (6') tall Arborvitaes.

The Variation for the soccer field accessory structures was also addressed. The existing physical layout of the site presents design challenges, as does the existing water tower public utility on-site. Grading issues prevent shifting the soccer field any further east. The only practical solution is to replace the player shelters and press box in their current locations within the setback. Better quality materials matching the aesthetic of the softball field are proposed. The structures are screened by existing, very tall evergreen trees and grading on the east end portion of the site. A height Variation is sought to allow the press box to be nineteen (19) feet tall, which, according to the representative of the Applicant, is a pretty standard height for site lines from a press box.

During his presentation, the representative of the Applicant answered various questions posed by the members of the ZBA.

John Ochoa of 5620 S. Washington was present to express general support for the Variations. His home abuts the east side of the teacher's parking lot. He stated that the Variations are more appealing than the alternatives necessary to meet Code.

There being no further questions or members of the public wishing to speak on the application, the portion of the Public Hearing related to the Requested Variations was closed.

Members discussed the Requested Variations and agreed that the standards for variations set forth in 11-503(F) of the Hinsdale Zoning Code had been met. Motions to approve the Requested Variations were made by Member Alesia and seconded by Member Engel.

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

**NAYS:** None

**ABSTAIN:** None

**ABSENT:** Member Giltner

**FINDINGS:** The following are the Findings of the ZBA relative to the Requested Variations:

1. *General Standard: Carrying out the strict letter of the provisions of the Zoning Code would create a particular hardship or a practical difficulty, based on satisfaction of the standards below:*

2. *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, or 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 owner of the lot.* The Property is landlocked and there are limited opportunities for expansion. All members agree that the long-existing precode school structure on the Property, along with the physical layout of the structures, athletic fields, uses and parking on the Property, proximity of the use to the adjacent neighbors, safety concerns, and landlocked nature of the Property, are driving the request for the Requested Variations and create a unique physical condition. The Requested Variations in some cases concern like-kind replacements of existing fences and other structures.

3. *Not Self-Created:* The 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 the Zoning Code, for which no compensation was paid. The need for the Requested Variations is not self-created, and is in part driven by the long-existing physical conditions present on the Property, and the landlocked nature of the Property. The ZBA finds this standard to have been met.

4. *Denied Substantial Rights:* The carrying out of the strict letter of the provisions 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. In this case, requiring the Applicant to conform to the provisions of the Zoning Code for which relief is sought would cause the loss of various on-site amenities to the community provided by Applicant, and would negatively impact both the neighbors and the Applicant's ability to serve the community in the same manner as other comparable schools.

5. *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. The Variations are not sought to make more money from use of the Property, but are instead sought in order to make necessary improvements to the Property without negatively impacting site conditions and adjacent neighbors.

6. *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 the Zoning Code and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan. The Variations are consistent with the existing use. The ZBA found this standard to have been met.

7. *Essential Character Of The Area: The variation would not result in a use or development on the subject property that:*

*(a) would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or (b) would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or (c) would substantially increase congestion in the public streets due to traffic or parking; or (d) would unduly increase the danger of flood or fire; or (e) would unduly tax public utilities and facilities in the area; or (f) would endanger the public health or safety.*

The granting of the Requested Variations will allow needed improvements to occur at the Property, without negatively impacting existing site amenities or adjacent neighbors. The building, fields, fencing and other structures already exist, and the utilities are already in place. The Requested Variations will not endanger the public health or safety.

8. *No Other Remedy: There is no means other than the requested variations 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.* Limited options exist at this landlocked site. The ZBA finds this standard to have been met.

In addition, Section 9-12-3 of the Village Code provides certain standards for fence variations. Those additional standards are that: 1) *the petitioner is affected by unique circumstances justifying relief from the provisions of Section 9-12-3*, 2) *the variation will not alter the essential character of the locality*, 3) *the variation will be in harmony with the general purpose and intent of Section 9-12-3*, 4) *the variation will set no unfavorable precedent either to the locality or to the village as a whole*, 5) *the variation will be the minimum necessary to afford relief to the petitioner*, and 6) *the variation will not adversely affect the public safety and general welfare*. The ZBA finds all of the foregoing standards to have been met, for the various reasons set forth above. In addition, due to the uniqueness of the Property as a high school, the variation will set no unfavorable precedent.

#### **FINAL DECISIONS:**

Based on the Findings set forth above, the ZBA, by a vote of six (6) in favor, zero (0) opposed and one (1) absent, **APPROVES** and **GRANTS** the following Requested Variations, as described in the Application, a copy of which is attached hereto as Exhibit B and made a part hereof, relative to construction of the Phase I Improvements located in the IB Institutional Building Zoning District at 5500 S. Grant Street:

1. **A Variation to Section 9-12-3(E) of the Village Code to allow a fence higher than the eight (8) foot limitation on fences in order to provide for the construction of fifty (50) foot high protective safety netting system at the baseball field on the northeast corner of Grant and 57th Street; and**



2. A Variation to Section 9-12-3(D & E) of the Village Code and Section 7-310 of the Zoning Code, to allow a fence higher than the eight (8) foot height limitation on fences and the setback requirements in order to provide for the replacement of the existing chain link tennis court fencing with ten (10) foot high vinyl-coated fencing with windscreens, vinyl-coated four (4) foot high track fencing, vinyl-coated chain-link backstop and baseline baseball fencing with heights that match the existing fencing, and use of miscellaneous chain-link athletic field fencing for repair and infill of existing fencing; and

3. A Variation to Section 7-310 of the Zoning Code to allow building height and screening requirements in excess of those allowed by the Zoning Code for the construction of two (2) soccer field team shelters and a nineteen (19) foot high press box without the required twenty (20) foot perimeter landscaped open space/landscape buffer/screening requirement.

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Signed: \_\_\_\_\_  
Robert Neiman, Chair  
Zoning Board of Appeals  
Village of Hinsdale

Date: \_\_\_\_\_

Filed this \_\_\_\_ day of \_\_\_\_\_, 2020, with the office of the Building Commissioner.

## **LEGAL DESCRIPTION OF THE SUBJECT PROPERTY**

**PARCEL I:** LOTS 1 AND 2, IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PARINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL II:** THE EAST 350 FEET OF THE NORTH HALF OF THE NORTH HALF OF LOT 3, IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL III:** THE EAST 350 FEET OF THE SOUTH HALF OF THE NORTH HALF OF LOT 3, IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL IV:** THE NORTH HALF OF LOT 3 (EXCEPT THE EAST 350 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL V:** THE SOUTH HALF OF THE NORTH HALF (EXCEPT THE EAST 350 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL VI:** THE SOUTH HALF OF LOT 3, IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO

THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL VII:** THE NORTH HALF OF LOT 4, (EXCEPT THE EAST 200 FEET THEREOF) IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL VIII:** LOT 1, IN PENZES RESUBDIVISION OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL IX:** LOT 5, (EXCEPT THE EAST 150 FEET THEREOF), IN PENZES RESUBDIVISION OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL X:** THE WEST 75 FEET OF THE EAST 150 FEET OF LOT 5, IN PENZES RESUBDIVISION OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL XI:** THE EAST 75 FEET OF LOT 5, IN PENZES RESUBDIVISION OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL XII:** THE EAST 60 FEET OF THE SOUTH HALF OF LOT 4 (EXCEPT THE EAST 60 FEET THEREOF), IN BLOCK 7, IN BRANIGAR BROTHERS HINSDALE

FARMS, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**PARCEL XIII:** THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THE SOUTH 33 FEET THEREOF, IN DUPAGE COUTNY, ILLINOIS

**PARCEL XIV:** LOTS 11 THROUGH 20, BOTH INCLUSIVE, IN BLOCK 2, IN BRANIGAR BROTHERS HINSDALE FARMS, BEING A SUBDVISION OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER (EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 5, 1920 AS DOCUMENT NO. 141390, IN DUPAGE COUNTY, ILLINOIS

**COMMONLY KNOWN AS: 5500 South Grant Street, Hinsdale, Illinois**

**PINS: 09-13-100-017, 09-13-100-008, 09-13-100- 011, 09-13-100-012, 09-13-100-013, 09-13-100-014, 09-13-100-015 & 09-13-101-027**

**EXHIBIT B**

**APPLICATION FOR VARIATIONS**

7a

## 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, 2020

**RE:** Zoning Variation – V-01-20; 32 Blaine Street

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In this application for variation, the applicant requests relief from the off-street parking requirements set forth in section 9-104(G)(1)(b) of the Code in order to lawfully convert an existing house into an office as permitted in the O-1 zoning district. The code requires a total of 11 parking spaces based on the square footage of the existing structure. Based on the size of the lot, the applicant proposes to construct 7 spaces including 1 ADA space. The specific request is for a reduction of 4 spaces in order to accommodate the change of use.

It should be noted that in the event the Zoning Board of Appeals approves the request, it will move on to the Plan Commission for Site Plan and Exterior Appearance review.

This property is a conforming lot located in the O-1 Specialty Office District in the Village of Hinsdale and is located on the west side of Blaine Street between Hinsdale Avenue and First Street. The property is approximately 70' x 133' for approximately 9,310 square feet of lot area. The maximum permitted lot coverage is 80% or 7,448 square feet and the existing lot coverage is approximately 6,114 square feet.

cc: Kathleen A. Gargano, Village Manager  
Zoning file V-01-20

Zoning Calendar No. V-01-20

**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): 32 BLAINE LLC

ADDRESS OF SUBJECT PROPERTY: 32 BLAINE

TELEPHONE NUMBER(S): 630-789-6833

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

DATE OF APPLICATION: 2/11/2020



**RECEIVED**  
CB 2/13/20

## SECTION 1

Please complete the following:

1. Owner. Name, address, and telephone number of owner: **32 Blaine, LLC, 32 Blaine, Hinsdale IL 60521; 630-789-6833.**
2. Trustee Disclosure. In the case of a land trust the name, address, and telephone number of all trustees and beneficiaries of the trust: **NONE**
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.) **32 Blaine**

**THE SOUTH 30 FEET OF LOT 12 AND THE NORTH 40 FEET OF LOT 13 IN GLADSTONE PARK, BEING A RESUBDIVISION OF BLOCK 4 IN ROBBINS FIRST ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION IN THE NORTH ½ OF THE NORTHEAST ¼ OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GLADSTONE PARK, RECORDED SEPTEMBER 7, 1887 AS DOCUMENT 38039, IN DUPAGE COUNTY, ILLINOIS.**

5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:

a. **Attorney:** HAWBECKER & GARVER, LLC; 26 BLAINE, HINSDALE IL 60521

b. **Architect:** Caprio Prisby Architectural Design, PC 106 South Washington Street, Hinsdale, IL 60521

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.

**Refer to attached name and address of neighboring owners.**

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.

**Please see attached 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.

**EXISTING ZONING CLASSIFICATION IS O-1, SPECIALTY OFFICE DISTRICT. ALL PROPERTIES ON THE EAST SIDE OF GARFIELD AND WEST SIDE OF BLAINE, BETWEEN FIRST STREET AND CHICAGO AVENUE, ARE ZONED O-1 AND ARE USED AS PROFESSIONAL OFFICES. THE SUBJECT PROPERTY WILL REMAIN THE SAME AND BE USED AS PROFESSIONAL OFFICES. PROPERTIES ON THE WEST SIDE OF GARFIELD BETWEEN FIRST STREET AND CHICAGO AVENUE ARE ZONED IB OR B-2. PROPERTIES ON THE EAST SIDE OF BLAINE ARE ZONED R-4 OR IB.**

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.

**THE APPROVAL BEING REQUESTED CONFORMS WITH THE VILLAGE OFFICIAL COMPREHENSIVE PLAN AND THE OFFICIAL MAP EXCEPT WITH REGARD TO PARKING REQUIREMENTS. THIS IS AN EXISTING BUILDING BUILT AROUND 1900. GIVEN THE SIZE OF THE BUILDING AND THE SIZE OF THE LOT, THERE IS NOT ENOUGH SPACE TO ENCOMPASS THE REQUISITE NUMBER OF PARKING SPACES.**

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. **PLEASE SEE 10 ABOVE.**

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.

**NONE**

## **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.

**ATTACHED IS A COPY OF THE LAST RECORDED DEED VESTING TITLE IN LAW OFFICES OF 32 BLAINE LLC. 32 BLAINE, LLC ACQUIRED THE PROPERTY ON OCTOBER 16, 2019 AND IS THE SOLE OWNER OF 32 BLAINE.**

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

**9-104(G)(1)(b)**

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.)

**ONE PARKING SPACE IS REQUIRED PER 250 SQ FEET (NET). 2643.28 S.F./250 S.F.= 10.57 SPACES ROUNDED UP TO 11 TOTAL SPACES. CURRENT PLANS ALLOW FOR 7 SPACES WHICH INCLUDES ONE ADA COMPLIANT SPACE.**

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.)

**THE MINIMUM VARIATION WOULD BE A REDUCTION OF 4 PARKING SPACES**

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. **This home was constructed circa 1900 and is a classic Victorian Hinsdale home. We would like to retain that same character as all the other homes in this area but by doing so, the size of the home, and of course, the size of the lot will remain unchanged. To that end, there is no way to increase the number of parking spaces.**

(b) Not Self-Created. **Once again, the home was built circa 1900, long before the parking regulations and zoning ordinances came into effect.**

(c) Denied Substantial Rights. **Quite simply, there is no way to keep the desires of the O-1 district (small offices, retaining the residential character and appearance of the village while promoting limited business activity) without granting variations on the parking requirements. The space is just not there to encompass the requisite number of parking spaces.**

(d) Not Merely Special Privilege. **Once again, the space is just not there to encompass the requisite number of parking spaces and that would most likely apply to all the homes in this O-1 district.**

(e) Code and Plan Purposes. **By granting the Variation, the home will be able to fulfill the visions of the O-1 district, small offices, retaining the residential character and appearance of the village while promoting limited business activity.**

(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. **Without the variation, there would be no way to obtain a certificate of occupancy which would then render this property's only use as Residential, despite being in the O-1 district.**

### **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. **PLEASE REFER TO THE ATTACHED PLANS.**

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.

**PLEASE REFER TO THE ATTACHED PLANS.**

### **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 applicant, 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: **32 BLAINE, LLC**

Signature of Owner: 

Name of Applicant: **TOM HAWBECKER, MEMBER**

Signature of Applicant: 

Date: *2/11/2020*

#7 Neighboring Owners:

1. 09-12-201-001, 29 S. Garfield; Patrick Madison, 6806 Camden Rd. Downers Grove, IL 60516
2. 09-12-201-002, 23 S. Garfield; Madison Family Trust, 6806 Camden Rd. Downers Grove, IL 60516
3. 09-12-201-003 27 S. Garfield; Robert Smutny, 7605 Baimbridge Dr. Downers Grove, IL 60516
4. 09-12-201-004, 33 S. Garfield; Douglas Day, 33 S. Garfield, Hinsdale, IL 60521
5. 09-12-201-005, 35 S. Garfield; Law offices of 35 S. Garfield, LLC Hinsdale IL 60521
6. 09-12-201-006/007, 105 E. 1<sup>st</sup> St.; First Street Limited, 105 E. 1<sup>st</sup> St. Hinsdale, IL 60521
7. 09-12-201-008, 18 Blaine Street; Dennis Fitzpatrick, 18 Blaine Street, Hinsdale, IL 60521
8. 09-12-201-009, 22 Blaine Street; Edward Chen, 22 Blaine Street, Hinsdale, IL 60521
9. 09-12-201-010, 26 Blaine Street; 26 Blaine Street LLC, 26 Blaine Street, Hinsdale, IL 60521
10. 09-12-201-012, 38 S Blaine Street; Dawn and Julie White, 150 Easton Pl. Burr Ridge, IL 60527
11. 09-12-201-016, 105 E. First St; First Street Limited, 105 E. First St. Hinsdale, IL 60521
12. 09-12-201-017, 115 E. 1<sup>st</sup> St.; James Lovelace, 115 E. 1<sup>st</sup> St. Hinsdale, IL 60521
13. 09-12-202-001, 15 S. Blaine; TM Popson and L Van Matre, 15 S. Blaine St. Hinsdale, IL 60521
14. 09-12-202-002, 19 S. Blaine; Scott and Danielle Miller, 19 S. Blaine Hinsdale, IL 60521
15. 09-12-202-003, 23 S. Blaine St.; Kathryn Munson, 23 S. Blaine St. Hinsdale, IL 60521
16. 09-12-202-004, 27 S. Blaine St.; Sean and Meghan Sullivan, 27 Blaine St. Hinsdale, IL 60521
17. 09-12-202-005, 31 S. Blaine St.; Dean and Janelle Taylor, 31 Blaine St. Hinsdale, IL 60521
18. 09-12-202-006, 37 S. Blaine St.; Michael and Anna Ferguson, 37 S. Blaine St. Hinsdale, IL 60521
19. 09-12-202-012, 139 E. 1<sup>st</sup> St.; Redeemer Evangelical Lutheran Church, 139 E. 1<sup>st</sup> St. Hinsdale, IL 60521
20. 09-12-129-005, 36 E. Hinsdale Ave.; Jane Foster Trustee, 165 Pheasant Hollow, Burr Ridge, IL 60527
21. 09-12-129-006, 40 E. Hinsdale Ave; Garfield 1 LLC, 311 Hudson Ave. Clarendon Hills, IL 60514
22. 09-12-129-008, 40 S. Garfield, Village of Hinsdale, 19 E. Chicago Ave. Hinsdale, IL 60521
23. 09-12-129-012, 35 E. 1<sup>st</sup> St.; TRP 35 First Street LLC, 7630 Plaza Ct. Unit 100, Willowbrook, IL 60527
24. 09-12-129-013, 50 S. Garfield; TRP 50 Garfield St. LLC; 7630 Plaza Ct. Unit 100, Willowbrook, IL 60527.
25. 09-12-202-008, 18 S. Park Ave; Kari and Edward Snodgrass 18 S. Park Ave Hinsdale, IL 60521

26. 09-12-202-009, 24 S. Park Ave: Daniel and Kathryn Cole, 25 S. Park Ave Hinsdale, IL  
60521
27. 09-12-202-010, 26 S Park Ave; Brian and Susan Petersen 26 S. Park Ave Hinsdale IL  
60521
28. 09-12-202-011. 34 S Park Ave: Lawrence R and JL Zeno, 34 S. Park Ave, Hinsdale, IL  
60521



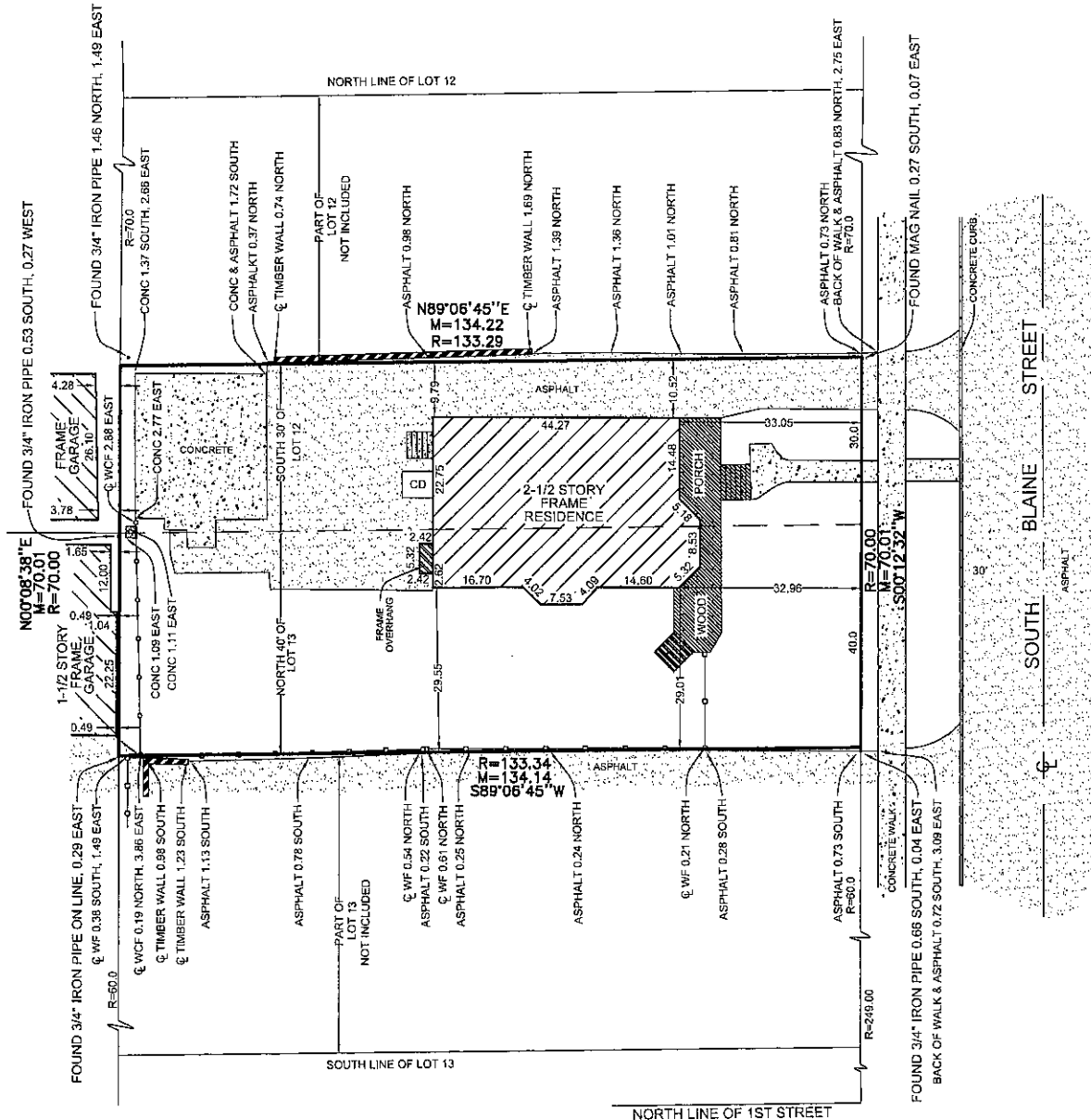
• BOUNDARY • TOPOGRAPHICAL • SUBDIVISIONS • ALTA/ACSM • CONDOMINIUMS • SITE PLANS • CONSTRUCTION • FEMA CERTIFICATES •

# SCHOMIG LAND SURVEYORS, LTD. PLAT OF SURVEY

909 EAST 31ST STREET  
LA GRANGE PARK, ILLINOIS 60526  
SCHOMIG-SURVEY@SBCGLOBAL.NET  
WWW.LAND-SURVEY-NOW.COM  
PHONE: 708-352-1452  
FAX: 708-352-1454

THE SOUTH 30 FEET OF LOT 12 AND THE NORTH 40 FEET OF LOT 13 IN GLADSTONE PARK, BEING A RESUBDIVISION OF BLOCK 4 IN ROBBINS FIRST ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION IN THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GLADSTONE PARK, RECORDED SEPTEMBER 7, 1887 AS DOCUMENT 38039, IN DUPAGE COUNTY, ILLINOIS.

COMMON ADDRESS: 32 BLAINE STREET, HINSDALE.



THE CUSTOMER LISTED BELOW PROVIDED THE LEGAL DESCRIPTION SHOWN HEREON. WE DO NOT GUARANTEE THAT THIS IS THE CORRECT LEGAL DESCRIPTION FOR THE TRANSACTION INTENDED.

IMPORTANT: COMPARE LEGAL DESCRIPTION TO DEED OR TITLE POLICY AND REPORT ANY DISCREPANCY FOR CLARIFICATION OR CORRECTION IMMEDIATELY. UNLESS OTHERWISE NOTED, THIS 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 EXTRAPOLATIONS MAY BE MADE FROM THE INFORMATION SHOWN WITHOUT THE WRITTEN PERMISSION OF SCHOMIG LAND SURVEYORS, LTD. ONLY PLATS WITH AN EMBOSSED SEAL ARE OFFICIAL DOCUMENTS. FIELD WORK WAS COMPLETED PER SURVEY DATE LISTED BELOW. © COPYRIGHT, ALL RIGHTS RESERVED.

SURVEY DATE: NOVEMBER 1ST, 2019.

BUILDING LOCATED: NOVEMBER 1ST, 2019. FILE: 971549.CRD

ORDERED BY: HAWBECKER & GARVER ATTORNEYS

PLAT NUMBER: 192525

SCALE: 1" = 20'

LEGEND  
M. = MEASURED DIMENSION  
R. = RECORDED DIMENSION  
B.L. = BUILDING LINE  
P.U.E. = PUBLIC UTILITY EASEMENT  
D.E. = DRAINAGE EASEMENT  
C. = CENTER LINE  
W.F. = WOOD FENCE  
W.C.F. = WOOD & CHAIN  
C.D. = CELLAR DOORS  
LINK FENCE

STATE OF ILLINOIS )  
COUNTY OF COOK ) ss. LOT AREA: 9,392 SQUARE FEET.

WE, SCHOMIG LAND SURVEYORS, LTD. AS AN ILLINOIS PROFESSIONAL DESIGN FIRM, LAND SURVEYOR CORPORATION, DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED HEREON.

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

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

BY: Russell W. Schomig  
PROFESSIONAL ILLINOIS LAND SURVEYOR LICENSE # 035-002446





**WARRANTY DEED**  
**ILLINOIS STATUTORY**

**PREPARED BY:**

The Fry Group, LLC  
Vanessa Cici Fry  
18W140 Butterfield Road, Suite 1100  
Oak Brook Terrace, IL 60181

**MAIL RECORDED DEED TO:**

HAWBECKER & GARVER, LLC  
26 Blaine Street  
Hinsdale, IL 60521

**NAME & ADDRESS OF GRANTEE:**

32 Blaine LLC  
26 Blaine Street  
Hinsdale, IL 60521

CT-1962W888043WC 1/5 ECA

THIS INDENTURE WITNESSETH, That the Grantors, Kurtz Investments, Ltd, an Illinois corporation of the Village of Hinsdale, State of Illinois for and in consideration of Ten and no/hundredths (\$10.00) Dollars, and other good and valuable consideration in hand paid, CONVEYS AND WARRANTS unto: 32 Blaine LLC, an Illinois limited liability corporation, the following described real estate in the County of DuPage and State of Illinois, to-wit:

**Legal Description:**

THE SOUTH 30 FEET OF LOT 12 AND THE NORTH 40 FEET OF LOT 13 IN GLADSTONE PARK, BEING A RESUBDIVISION OF BLOCK 4 IN ROBBINS FIRST ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION IN THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GLADSTONE PARK, RECORDED SEPTEMBER 7, 1887 AS DOCUMENT 38039, IN DU PAGE COUNTY, ILLINOIS.

Property Address: 32 Blaine St., Hinsdale, IL 60521

Permanent Index Number: 09-12-201-011-0000

**HEREBY** releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

**TO HAVE AND TO HOLD** said premises, forever.

Subject, however, to the general taxes for the year of 2019 and thereafter, and all instruments, covenants, restrictions, conditions, applicable zoning laws, ordinances, and regulations of record.

Dated this 16th day of October, 2019.

Kurtz Investments, Ltd,

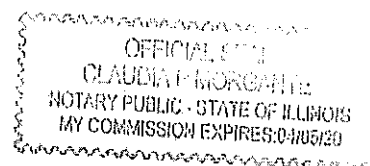
X [Signature]  
Dana L. Kurtz, President of Kurtz Investments, Ltd.

State of Illinois,  
County of DuPage ) SS.

I, the undersigned, a Notary Public in and for said County in the State aforesaid, do hereby certify that the Grantor, Dana L. Kurtz,, to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their 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 notarial seal this 16th day of October, 2019.

[Signature]  
Notary Public



## **ZONING INFORMATION**

ZONING DISTRICT: 04  
LOT CLASSIFICATION: BROWNLST  
TOTAL LOT AREA: 10,000 SQ.  
CONFORMANCE: CONFORMING  
MAXIMUM BUILDING HEIGHT: 8-0-0  
ACTUAL BUILDING HEIGHT: 8-0-0  
MAXIMUM BUILDING ELEVATION: 145'  
ACTUAL BUILDING ELEVATION: 145'

BUILDING COVERAGE AND FLOOR CALCULATIONS	
FLOOR	FLOOR SQ.
CELLAR	WA
FIRST FLOOR	WA/254.61
SECOND FLOOR	WA/254.51
ATTIC	WA/254.50
TOTALS	
	WA/254.51

MAX ALLOW FLOOR AREA FACTOR	40 X (4000 SQ FT) = 160,000
ACTUAL BUILDING COVER	ACTUAL 17,000 SQ FT
MAX ALLOW BUILDING COVERAGE	35 X (4000 SQ FT) = 140,000
ACTUAL BUILDING COVERAGE	ACTUAL 17,000 SQ FT
MAX ALLOW LOT COVERAGE	80% X (15,000 SQ FT) = 120,000
ACTUAL LOT COVERAGE	ACTUAL 17,000 SQ FT

CELLAR (ALL STORAGE)	1423.34 SF	1/200 S.H.	0.0000	47 occupants
FIRST FLOOR	1423.54 SF <th>1/200 S.H.</th> <th>0.0000</th> <th>1423 occupants</th>	1/200 S.H.	0.0000	1423 occupants
SECOND FLOOR	1423.54 SF <th>1/200 S.H.</th> <th>0.0000</th> <th>1423 occupants</th>	1/200 S.H.	0.0000	1423 occupants
ATTIC FLOOR	3637.97 SF <th>1/200 S.H.</th> <th>0.0000</th> <th>1423 occupants</th>	1/200 S.H.	0.0000	1423 occupants
TOTAL OCCUPANCY LOAD				4700 occupants
OCCUPANCY LOAD TO BE USED				4700 occupants

PERMILING REQUIREMENTS (NET SQUARE FOOTAGE)	
CEILING (ALL RETROGRADED)	100% MIN.
FIRST FLOOR	100% MIN.
SECOND FLOOR	100% MIN.
ATTIC	100% MIN.
TOTAL NET SQUARE FOOTAGE	2,400 SQ. FT.

ZONING OF ABBOTTSTOWN, O - 1	
BUR. / PHOT. OFFICE -	100% MIN.
REQUIRED BRACERS -	34 SQ. FT. (20' x 10') MIN. BRACER REQUIRED
TOTAL BRACERS PROVIDED -	104 SQ. FT. (20' x 20' x 2) MIN. BRACER REQUIRED

[illegible]

AN ADDITION AND REMODELING FOR  
**HAWBECKER  
AND  
GARVER, LLC.**  
32 SOUTH BLAINE STREET  
HINSDALE, ILLINOIS 60521

43-6



caprioprisby  
architectural design

106 s. washington street  
hinsdale, illinois 60521  
ph. 630.323.7554  
fax. 630.329.7632  
[www.capriopriety.com](http://www.capriopriety.com)