



MEETING AGENDA

Due to the ongoing public health emergency, and based on the authority provided by Executive Order 2020-07, issued by Governor Pritzker on March 16, 2020, as most recently extended by Executive Order 2020-33, dated April 30, 2020, and Executive Order 2020-32, issued by Governor Pritzker on April 30, 2020, limiting public gatherings and suspending the Open Meetings Act physical presence requirement, this meeting will be conducted electronically. The meeting will still be broadcast live on Channel 6 and the Village website.

Public comments are welcome on any topic related to the business of the Zoning Board of Appeals when received by email or in writing by the Village Clerk prior to 4:30 p.m. on the day of the meeting. Emailed comments may be sent to Village Clerk Christine Bruton at cbruton@villageofhinsdale.org. Written comments may be submitted to the attention of the Village Clerk at 19 E. Chicago Avenue, Hinsdale, Illinois 60521. While emailed or written comments are encouraged, public comment may also be made by following the Zoom instructions below:

Join Zoom Meeting:

<https://tinyurl.com/yxatspee>

Meeting ID: 879 5023 5909

Passcode: 000975

Dial in: +1 312 626 6799

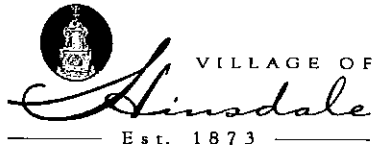
Meeting ID: 879 5023 5909

Passcode: 000975

**ZONING BOARD OF APPEALS
WEDNESDAY, November 18, 2020
6:30 P.M.**

This meeting will be conducted electronically. A live audio stream of the meeting will be available to the public via Channel 6 or on the Village website
(Tentative and Subject to Change)

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
 - a) Meeting of October 21, 2020
- 4. APPROVAL OF FINAL DECISIONS- None**
- 5. RECEIPT OF APPEARANCES – None**
- 6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO MAKE PUBLIC COMMENT OF A GENERAL NATURE**
- 7. PRE-HEARING AND AGENDA SETTING – None**



MEETING AGENDA

8. PUBLIC HEARING

- a) V-03-20, 329 East Sixth Street

(This matter has been continued at the request of the applicant.)

- b) V-05-20, 448 East Fourth Street

9. NEW BUSINESS

10. OLD BUSINESS

11. ADJOURNMENT

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Darrell Langlois, ADA Coordinator at 630-789-7014 or by TDD at **630-789-7022** promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons.

www.villageofhinsdale.org

VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
October 21, 2020

1. **ROLL CALL**

Present by telephone: Members Gary Moberly, Joseph Alesia, Keith Giltner, Tom Murphy, Leslie Lee, and Chairman Bob Neiman

Absent: Member John Podliska

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

2. **CALL TO ORDER**

The regularly scheduled meeting of the Hinsdale Zoning Board of Appeals (conducted electronically via Zoom) was called to order by Chairman Bob Neiman on Wednesday, October 21, 2020 at 6:31 p.m., roll call was taken.

Chairman Neiman Opening Remarks:

"On September 18, 2020, Governor Pritzker entered the latest in a string of emergency declarations related to the COVID-19 pandemic. In light of that declaration, and consistent with various Executive Orders entered by the Governor, and the recent amendments made to the Open Meetings Act in Public Act 101-640, it is not practical or prudent to conduct an in-person meeting. This Open Regular Meeting of the Zoning Board of Appeals of the Village of Hinsdale is therefore being conducted remotely. Public Act 101-640 allows public bodies to meet remotely during public health disasters, so long as the public is able to monitor the meeting, and certain other conditions are met. Public comment is permitted during the Receipt of Requests, Motions, Pleadings, or Requests to Make Public Comment of General Nature portion of the meeting, and during any public hearing. When we get to those portions of the meeting, I will ask persons wishing to make public comment to identify themselves."

3. **APPROVAL OF MINUTES**

a) **Meeting of July 15, 2020**

There being no changes or corrections to the draft minutes, Member Alesia moved to approve the draft minutes of July 15, 2020, as presented. Member Giltner seconded the motion.

AYES: Members Moberly, Alesia Giltner, Lee, and Chairman Neiman

NAYS: None

ABSTAIN: Member Murphy

ABSENT: Member Podliska

Motion carried.

1
2 **b) Special Meeting of July 23, 2020**

3 There being no changes or corrections to the draft minutes, Member Alesia
4 **moved to approve the draft minutes of July 23, 2020, as presented.**
5 Member Giltner seconded the motion.

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

8 **NAYS:** None

9 **ABSTAIN:** Member Lee

10 **ABSENT:** Member Podliska

11
12 Motion carried.

13
14 **4. APPROVAL OF FINAL DECISIONS- None**

15
16 **5. RECEIPT OF APPEARANCES – None**

17
18 **6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO MAKE**
19 **PUBLIC COMMENT OF A GENERAL NATURE – None**

20
21 **7. PRE-HEARING AND AGENDA SETTING**

22 **a) V-05-20, 448 East Fourth Street**

23 Mr. Bousquette, property owner and applicant, addressed the Board and
24 explained that he owns both 448 E. Fourth Street, and 444 E. Fourth Street.
25 He would like to move a portion of the 444 E. Fourth property to the 448 E.
26 Fourth property. This will not alter the R1 zoning of the 444 E. Fourth Street
27 property. Mr. Bousquette explained that unbeknownst to him an abandoned
28 public road ran between the two properties. It does not show up on the survey
29 or title report. However, a private sewer line located in this area burst, and the
30 DuPage County Health Department required that he fix this problem. Due to
31 the significant cost to him of those improvements, he would like this drain
32 system to be part of his 448 E. Fourth Street property.

33
34 Chairman Neiman commented that he was unaware of the sewer drain
35 problems, but those members who were on the Board in 2017 know the history
36 of the property, and Mr. Bousquette's attempts to save the Zook house. He
37 reminded the applicant to address the seven criteria for approving a variance
38 at the hearing, and to talk to area neighbors for their concerns and support.

39 The public hearing was set for the next meeting of the Zoning Board of Appeals.

40
41 **8. PUBLIC HEARING**

42 **a) V-03-20, 329 East Sixth Street**

43 Chairman Neiman introduced the matter, and explained to the Board that the
44 applicant has requested another continuance. Discussion followed regarding
45 multiple continuances, and noticing the hearing. Mr. McGinnis said there is
46 nothing in the code to limit this, and noted both parties are amenable, and
47 objectors have been notified. He added the applicant has retained counsel and

1 they need to get up to speed, they are looking for alternatives to the variation,
2 but he has received nothing new from the applicant. Chairman Neiman
3 encouraged the applicant and neighbor to make every effort to reach a
4 compromise.

5 The case was continued to the next meeting of the Zoning Board.

6
7 **9. NEW BUSINESS – None**

8
9 **10. OLD BUSINESS – None**

10
11 **11. ADJOURNMENT**

12 With no further business before the Zoning Board of Appeals, Member Murphy
13 made a motion to **adjourn the regularly scheduled meeting of the Zoning**
14 **Board of Appeals of October 21, 2020.** Member Alesia seconded the motion.

15
16 **AYES:** Members Moberly Alesia, Giltner, Murphy, Lee and Chairman Neiman

17 **NAYS:** None

18 **ABSTAIN:** None

19 **ABSENT:** Member Podliska

20
21 Motion carried.

22
23 Chairman Neiman declared the meeting adjourned at 6:51 p.m.

24
25
26
27 _____
28 Christine M. Bruton

Approved: _____

MEMORANDUM

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

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

DATE: October 13, 2020

RE: Zoning Variation – V-05-20; 448 E. 4th Street

In this application for variation, the applicant requests relief from the Interior Side Yard Setback set forth in section 3-110(D)(2)(b) of the Code in order to deed over excess property from the neighboring lot to the west (444 E. 4th Street) The specific request is for 2.63' of relief.

The applicant in this case owns both 444 E. 4th Street and 448 E. 4th Street. The intention is to deed over excess property from the 444 property to the 448 property. Because the width of the 448 property is increasing, the required side yard setbacks increase as well. Although the house is not moving on the 448 lot, the existing setback on the east side of the lot is already non-conforming. Any increase in the width of the lot increases the degree of non-conformity thereby driving the request for relief.

This property is a conforming through-lot located in the R-1 Residential District in the Village of Hinsdale and is located on the south side of 4th Street between Oak Street and County Line Road. The property is irregular and contains approximately 39,957 square feet of lot area. The maximum permitted FAR is 9,991sf., the maximum permitted Lot Coverage is 19,978sf., and the maximum allowable Building Coverage is 9,989sf..

cc: Kathleen A. Gargano, Village Manager
Zoning file V-05-20



19 E. Chicago Avenue, Hinsdale, IL 60521

APPLICATION FOR VARIATION

COMPLETE APPLICATION CONSISTS OF (10) COPIES

(All materials to be collated)

FILING FEES: \$850.00

Name of Applicant(s): Matthew Bousquette

Address of Subject Property: 448 E 4th street

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

FOR OFFICE USE ONLY
Date Received: 10/12/20 CB Zoning Calendar No. V0520

PAYMENT INFORMATION: Check # _____ Check Amount \$ _____

SECTION 1- NAME & CONTACT INFORMATION

1. **Owner.** Name, mailing address, telephone number and email address of owner:

Name: Matthew Bousquette

Address: 448 E 4th street

Telephone: 630 768 2725 email: matt@bousquette.net

2. **Trustee Disclosure.** In the case of a land trust provide the name, address, telephone number and email address of all trustees and beneficiaries of the trust:

Name: _____

Address: _____

Telephone: _____ email: _____

3. **Applicant.** Name, address, telephone number and email address of applicant, if different from owner:

Name: _____

Address: _____

Telephone: _____ email: _____

4. **Subject Property.** Address, PIN Number, and legal description of the subject property, use separate sheet for legal description, if necessary.

PIN Number: 448 E 4th street

PIN # 0912222010

see Attached Legal Description - Exhibit A

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

a. Attorney: Surveyor: ~~Jon~~ Jon Green P.E.

b. Engineer: Engineering Resources Associates, Inc.

c. Architect: 35701 W. Avenue

d. Contractor: Warrenville, IL 60555

630-939-3060

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6. Village Personnel. Name and address of any officer or employee of the Village with an interest in the Owner, the Applicant, or the Subject Property, and the nature and extent of that interest:

a. _____
b. _____

7. Neighboring Owners. Submit with this application a list showing the name and address of each owner of (1) property within 250 lineal feet in all directions from the subject property; and (2) property located on the same frontage or frontages as the front lot line or corner side lot line of the subject property or on a frontage directly opposite any such frontage or on a frontage immediately adjoining or across an alley from any such frontage.

See Exhibit B

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

8. Survey. Submit with this application a recent survey, certified by a registered land surveyor, showing existing lot lines and dimensions, as well as all easements, all public and private rights-of-way, and all streets across and adjacent to the Subject Property.

See Exhibit C

9. Existing Zoning. Submit with this application a description or graphic representation of the existing zoning classification, use, and development of the Subject Property, and the adjacent area for at least 250 feet in all directions from the Subject Property.

See Exhibit D

10. Conformity. Submit with this application a statement concerning the conformity or lack of conformity of the approval being requested to the Village Official Comprehensive Plan and the Official Map. Where the approval being requested does not conform to the Official Comprehensive Plan or the Official Map, the statement should set forth the reasons justifying the approval despite such lack of conformity.

See Exhibit E

11. Zoning Standards. Submit with this application a statement specifically addressing the manner in which it is proposed to satisfy each standard that the Zoning Ordinance establishes as a condition of, or in connection with, the approval being sought.

See Attached Exhibits

12. Successive Application. In the case of any application being filed less than two

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years after the denial of an application seeking essentially the same relief, submit with this application a statement as required by Sections 11-501 and 11-601 of the Hinsdale Zoning Code.

SECTION II

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

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

Section 3-110(D)(2)(b)

interior side yard setback

3. Variation Sought. The precise variation being sought, the purpose therefor, and the specific feature or features of the proposed use, construction, or development that require a variation: (Attach separate sheet if additional space is needed.)

See Exhibit G

4. Minimum Variation. A statement of the minimum variation of the provisions of the Zoning Ordinance that would be necessary to permit the proposed use, construction, or development: (Attach separate sheet if additional space is needed.)

See Exhibit H

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:

See Exhibit I

- (a) Unique Physical Condition. The Subject Property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure of sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the Subject Property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current lot owner.
- (b) Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the Subject Property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.
- (c) Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the Subject Property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.
- (d) Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.
- (e) Code and Plan Purposes. The variation would not result in a use or development of the Subject Property that would not be in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.
- (f) Essential Character of the Area. The variation would not result in a use or development of the Subject Property that:

- (1) Would be materially detrimental to the public welfare or materially

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injurious to the enjoyment, use development, or value of property of improvements permitted in the vicinity; or

- (2) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
 - (3) Would substantially increase congestion in the public streets due to traffic or parking; or
 - (4) Would unduly increase the danger of flood or fire; or
 - (5) Would unduly tax public utilities and facilities in the area; or
 - (6) Would endanger the public health or safety.
- (g) No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Subject Project.
(Attach separate sheet if additional space is needed.)

See Exhibit I

SECTION III

In addition to the data and information required pursuant to any application as herein set forth, every Applicant shall submit such other and additional data, information, or documentation as the Village Manager or any Board of Commission before which its application is pending may deem necessary or appropriate to a full and proper consideration and disposition of the particular application.

1. A copy of preliminary architectural and/or surveyor plans showing the floor plans, exterior elevations, and site plan needs to be submitted with each copy of the zoning petitions for the improvements.

2. The architect or land surveyor needs to provide zoning information concerning the existing zoning; for example, building coverage, distance to property lines, and floor area ratio calculations and data on the plans or supplemental documents for the proposed improvements.

SECTION IV

1. Application Fee and Escrow. Every application must be accompanied by a non-refundable application fee of \$250.00 plus an additional \$600.00 initial escrow amount. The applicant must also pay the costs of the court reporter's transcription fees and legal notices for the variation request. A separate invoice will be sent if these expenses are not covered by the escrow that was paid with the original application fees.
2. Additional Escrow Requests. Should the Village Manager at any time determine that the escrow account established in connection with any application is, or is likely to become, insufficient to pay the actual costs of processing such application, the Village Manager shall inform the Applicant of that fact and demand an additional deposit in an amount deemed by him to be sufficient to cover foreseeable additional costs. Unless and until such additional amount is deposited by the Applicant, the Village Manager may direct that processing of the application shall be suspended or terminated.
3. Establishment of Lien. The owner of the Subject Property, and if different, the Applicant, are jointly and severally liable for the payment of the application fee. By signing the 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.

Name of Applicant: Matthew Bousquette

Signature of Applicant: Matthew Bousquette

Date: 10/12/2000

28042471-
2803159 1963WCT



FRED BUCHOLZ

DUPAGE COUNTY RECORDER

AUG. 01, 2008

RHSP 11:12 AM

DEED

09-12-222-008

004 PAGES

R2008-120701

WARRANTY DEED

The Grantors, William T. Jacobs, Jr., and Linda R. Jacobs, husband and wife, of the County of Dupage, and State of Illinois, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations in hand paid, the receipt of which is hereby acknowledged, convey and warrant

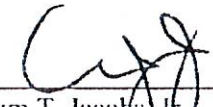
to Matthew C. Bousquette, a married person, of 255 Windsor, Itasca, Illinois 60143, the following described real estate situated in the County of Dupage, in the State of Illinois, to-wit:

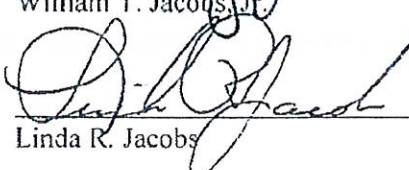
See legal description attached hereto as Exhibit "A"

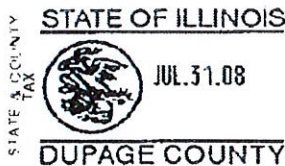
SUBJECT TO: (a) General real estate taxes not due and payable at the time of closing; (b) Special taxes and assessments confirmed after the contract date; (c) Building, building line, use or occupancy restrictions, conditions and covenants of record; (d) Zoning laws and ordinances which conform to the present usage of the Premises; (e) Public and utility easements which serve the Premises; (f) Public roads and highways, if any; and (g) Drainage ditches, feeders, laterals and drain tile, pipe or other conduit.

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

DATED this 23rd day of July, 2008.


William T. Jacobs, Jr.


Linda R. Jacobs



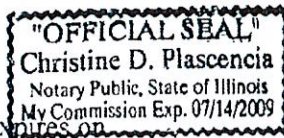
| | |
|--------------|-----------------------------|
| # 0000049636 | REAL ESTATE TRANSFER TAX |
| | 06132.75 |
| | FP326686 |

CHARGE C.T.I.C. DUPAGE

STATE OF ILLINOIS)
) SS.
COUNTY OF WILL)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY that William T. Jacobs, Jr. and Linda R. Jacobs, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, as having executed the same, appeared before me this day in person and acknowledged that they signed, sealed and delivered the same instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 23rd day of July, 2008.




Notary Public

My commission expires on _____.

Municipal Transfer Stamp (If Required)

County/Illinois Transfer Stamp

Name & Address of Preparer:

John S. Gallo, Esq.
Tracy, Johnson & Wilson
2801 Black Road, 2nd Floor
Joliet, Illinois 60435

Return to:

Mr. Paul B. Garver
Hawbecker & Garver
35 S. Garfield
Hinsdale, Illinois 60521

Mail Tax Bills to:

Matthew C. Bousquette
448 E. Fourth Street
Hinsdale, Illinois 60521

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

THE NORTH 100 FEET OF LOT 2 (MEASURED PARALLEL TO THE NORTH LINE THEREOF), EXCEPT THE EAST 170 FEET THEREOF, AND THE EAST 1/2 OF VACATED OAKWOOD PLACE LYING WEST OF AND ADJOINING THERETO, IN BLOCK 9 IN W. ROBBIN'S PARK ADDITION TO HINSDALE, BEING A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 AND OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 12, 1871 AS DOCUMENT NO. 14048, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2:

LOT 2 IN OWNER'S RESUBDIVISION OF LOT 1 AND THE EAST 170 FEET OF THE NORTH 100 FEET OF LOT 2 (AS MEASURED PARALLEL TO THE NORTH LINE) OF BLOCK 9 OF W. ROBBINS PARK ADDITION TO HINSDALE, A SUBDIVISION IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 AND THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 16, 1948 AS DOCUMENT 547307, IN DUPAGE COUNTY, ILLINOIS

PARCEL 3:

THAT PART OF VACATED OAKWOOD PLACE LYING WEST OF AND ADJOINING LOT 2 IN OWNER'S RESUBDIVISION OF LOT 1 AND THE EAST 170 FEET OF THE NORTH 100 FEET OF LOT 2 (AS MEASURED PARALLEL TO THE NORTH LINE) OF BLOCK 9 OF W. ROBBINS PARK ADDITION TO HINSDALE, A SUBDIVISION IN THE SOUTH 1/2 OF THE NORTHEAST 1/4 AND THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTH EAST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 16, 1948 AS DOCUMENT 547307, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1 IN THE RESUBDIVISION OF BLOCK 8 IN W. ROBBINS PARK ADDITION TO HINSDALE; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 125.00 FEET AND THE CHORD OF WHICH EXTENDS FROM SAID NORTHEAST CORNER OF SAID LOT 1 TO THE NORTHEAST CORNER OF LOT 2 IN OWNER'S RESUBDIVISION OF PART OF BLOCK 9 IN W. ROBBINS PARK ADDITION TO HINSDALE, A DISTANCE OF 26.66 FEET FOR A POINT OF BEGINNING; THENCE CONTINUING ALONG SAID CURVE A DISTANCE OF 100.00 FEET TO SAID NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINE OF SAID LOT 2 TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 2 EXTENDED WEST A DISTANCE OF 35.25 FEET TO AN IRON PIPE; THENCE NORTHEASTERLY ALONG A LINE FORMING AN ANGLE OF 69 DEGREES 14 MINUTES 12 SECONDS AS MEASURED FROM LEFT TO RIGHT WITH THE LAST DESCRIBED LINE A DISTANCE OF 63.05 FEET TO AN IRON PIPE ON THE SOUTH LINE OF SAID LOT 1 EXTENDED EASTERLY; THENCE NORTHEASTERLY A DISTANCE OF 111.14 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS, BEING THOSE PORTIONS OF VACATED OAKWOOD PLACE DESCRIBED ON THE PUBLIC ROAD RIGHT OF WAY PLAT OF VACATION, AS DOCUMENT R75-24211 RECORDED ON THE 29TH DAY OF MAY 1975, AS PARCEL 3

P.I.N. 09-12-222-007-0000 (Parcel 1)
09-12-222-008-0000 (Parcel 2 & 3)

ADDRESS: 445 Woodside, Hinsdale, IL 60521 (Parcel 1)
448 E. 4th Street, Hinsdale, IL 60521 (Parcel 2 & 3)

| PIN | OWNER | PROPERTY STREET NUMBER | PROPERTY STREET DIRECTION | PROPERTY STREET NAME | PROPERTY APARTMENT | PROPERTY CITY | PROPERTY ZIPCODE |
|-------------|---------------------------|------------------------|---------------------------|----------------------|--------------------|---------------|------------------|
| 0912221002 | NERAD; JERRY & ANN TR | 420 | E | 4TH ST | | HINSDALE | 60521 |
| 0912221004 | PIEMONTE; MARCO & ALEXA | 419 | S | OAK ST | | HINSDALE | 60521 |
| 0912221008 | BOUSQUETTE; MATTHEW C | 444 | E | 4TH ST | | HINSDALE | 60521 |
| 09122226006 | ARBER; D & C PARK | 433 | E | 6TH ST | | HINSDALE | 60521 |
| 0912221006 | BOUSQUETTE; MATTHEW C | 444 | E | 4TH ST | | HINSDALE | 60521 |
| 0912221005 | HOLMES; JOYE TR | 425 | | WOODSIDE AVE | | HINSDALE | 60521 |
| 0912221009 | BOUSQUETTE; MATTHEW C | 444 | E | 4TH ST | | HINSDALE | 60521 |
| 0912214011 | FLAHERTY; MICHAEL & LINDA | 425 | E | 4TH ST | | HINSDALE | 60521 |
| 0912222005 | HARRISON TR; MARK & G | 436 | S | COUNTY LINE RD | | HINSDALE | 60521 |
| 0912226005 | ECK; ROBYN TRUST | 425 | E | 6TH ST | | HINSDALE | 60521 |
| 0912214017 | DAZE; ERIC & GUYLAINE | 445 | E | 4TH ST | | HINSDALE | 60521 |
| 0912214018 | CICERO 7215 & 1ST IL 7224 | 330 | S | COUNTY LINE RD | | HINSDALE | 60521 |
| 0912226012 | REBRAG INC | 453 | E | 6TH ST | | HINSDALE | 60521 |
| 0912222010 | BOUSQUETTE; MATTHEW C | 448 | E | 4TH ST | | HINSDALE | 60521 |
| 0912222004 | CHICAGO TITLE 8002381154 | 420 | S | COUNTY LINE RD | | HINSDALE | 60521 |
| 0912226010 | BRICKMAN; DONNA | 439 | E | 6TH ST | | HINSDALE | 60521 |
| 0912226003 | YERLIOGLU; BEN E | 440 | | WOODSIDE AVE | | HINSDALE | 60521 |
| 0912226007 | BRICKMAN; DONNA | 439 | E | 6TH ST | | HINSDALE | 60521 |
| 0912214012 | SCALES; JOHN & KAREN | 435 | E | 4TH ST | | HINSDALE | 60521 |
| 0912222003 | BENSON; DONALD & JOAN | 455 | | WOODSIDE AVE | | HINSDALE | 60521 |
| 0912214013 | NAPLETON; PAUL & K | 441 | E | 4TH ST | | HINSDALE | 60521 |
| 0912226002 | REEDY; MARY M | 424 | E | WOODSIDE AVE | | HINSDALE | 60521 |
| 0912222009 | MALINOWSKI; DIANE R TR | 452 | E | 4TH ST | | HINSDALE | 60521 |

Cook County Side

| PIN | OWNER | PROPERTY STREET NUMBER | PROPERTY STREET DIRECTION | PROPERTY STREET NAME | PROPERTY APARTMENT | PROPERTY CITY | PROPERTY ZIPCODE |
|--------------------|------------------------|------------------------|---------------------------|----------------------|--------------------|---------------|------------------|
| 18-07-110-002-0000 | KEVIN & KARA BOYLE | | | 329 S COUNTY LINE RD | | HINSDALE | 60521 |
| 18-07-110-003-0000 | JEROME & MARYKAY HINES | | | 403 S COUNTY LINE RD | | HINSDALE | 60521 |
| 18-07-110-004-0000 | PAUL S DRUMM | | | 411 S COUNTY LINE RD | | HINSDALE | 60521 |
| 18-07-110-006-0000 | ROBERT PECKENPAUGH TR | | | 429 S COUNTY LINE RD | | HINSDALE | 60521 |
| 18-07-110-020-0000 | WILLIAM & JANE HULESCH | | | 421 S COUNTY LINE RD | | HINSDALE | 60521 |

Source: <https://maps.cookcountyil.gov/cookviewer/mapviewer.html?searchType=address&search=hinsdale%20il#>

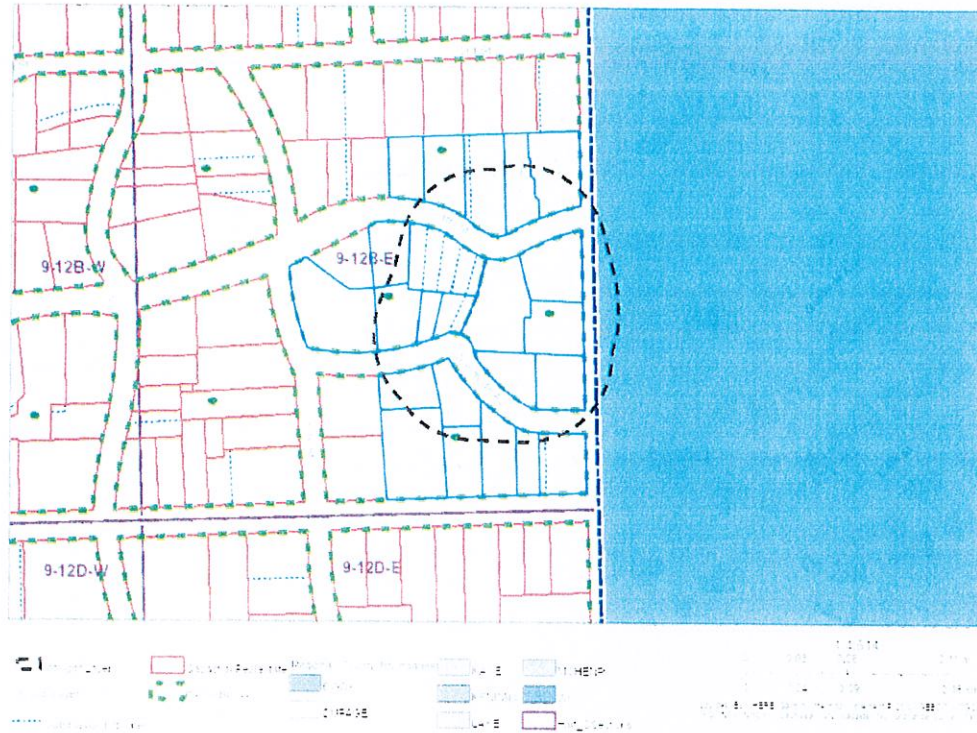
Exhibit B 11



DuPage County IT-GIS Department
421 N. County Farm Rd.
Wheaton IL 60117
Ph# (630) 407-9000

Dupage County Parcel Report

Map created for assessment purposes only. Refer to recorded
plats or deeds for legal descriptions and property dimensions
Copyright The County of DuPage, Illinois
www.dupageco.org



PIN: 0912221002

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| PIN | 0912221002 |
| OWNER | NERAD, JERRY & ANN TR |
| PROPERTY STREET NUMBER | 420 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912221004

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|---------------------------|-------------------------|
| PIN | 0912221004 |
| OWNER | PIEMONTE, MARCO & ALEXA |
| PROPERTY STREET NUMBER | 419 |
| PROPERTY STREET DIRECTION | S |
| PROPERTY STREET NAME | OAK ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

Exhibit B 2/8

PIN: 0912221008

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|---------------------------|-----------------------|
| PIN | 0912221008 |
| OWNER | BOUSQUETTE; MATTHEW C |
| PROPERTY STREET NUMBER | 444 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912226006

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|---------------------------|-------------------|
| PIN | 0912226006 |
| OWNER | ARBER; D & C PARK |
| PROPERTY STREET NUMBER | 433 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 6TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912221006

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|---------------------------|-----------------------|
| PIN | 0912221006 |
| OWNER | BOUSQUETTE; MATTHEW C |
| PROPERTY STREET NUMBER | 444 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912221005

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|---------------------------|------------------|
| PIN | 0912221005 |
| OWNER | HOLMES; JOY E TR |
| PROPERTY STREET NUMBER | 425 |
| PROPERTY STREET DIRECTION | |
| PROPERTY STREET NAME | WOODSIDE AVE |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

Exhibit B 3/8

PIN: 0912221009

| | |
|---------------------------|-----------------------|
| PIN | 0912221009 |
| OWNER | BOUSQUETTE; MATTHEW C |
| PROPERTY STREET NUMBER | 444 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912214011

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|---------------------------|---------------------------|
| PIN | 0912214011 |
| OWNER | FLAHERTY; MICHAEL & LINDA |
| PROPERTY STREET NUMBER | 425 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912222005

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|---------------------------|-----------------------|
| PIN | 0912222005 |
| OWNER | HARRISON TR; MARK & G |
| PROPERTY STREET NUMBER | 436 |
| PROPERTY STREET DIRECTION | S |
| PROPERTY STREET NAME | COUNTY LINE RD |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912226005

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|---------------------------|------------------|
| PIN | 0912226005 |
| OWNER | ECK; ROBYN TRUST |
| PROPERTY STREET NUMBER | 425 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 6TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

Exhibit B 4/8

PIN: 0912214017

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|---------------------------|-----------------------|
| PIN | 0912214017 |
| OWNER | DAZE, ERIC & GUYLAINE |
| PROPERTY STREET NUMBER | 445 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912214018

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|---------------------------|---------------------------|
| PIN | 0912214018 |
| OWNER | CICERO 7215 & 1ST IL 7224 |
| PROPERTY STREET NUMBER | 330 |
| PROPERTY STREET DIRECTION | S |
| PROPERTY STREET NAME | COUNTY LINE RD |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912226012

| | |
|---------------------------|------------|
| PIN | 0912226012 |
| OWNER | REBRAG INC |
| PROPERTY STREET NUMBER | 453 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 6TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912222010

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|---------------------------|-----------------------|
| PIN | 0912222010 |
| OWNER | BOUSQUETTE, MATTHEW C |
| PROPERTY STREET NUMBER | 448 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

Exhibit B 578

PIN: 091222004

| | |
|---------------------------|--------------------------|
| PIN | 091222004 |
| OWNER | CHICAGO TITLE 8002381154 |
| PROPERTY STREET NUMBER | 420 |
| PROPERTY STREET DIRECTION | S |
| PROPERTY STREET NAME | COUNTY LINE RD |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912226010

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|---------------------------|-----------------|
| PIN | 0912226010 |
| OWNER | BRICKMAN; DONNA |
| PROPERTY STREET NUMBER | 439 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 6TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912226003

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|---------------------------|------------------|
| PIN | 0912226003 |
| OWNER | YERLIOGLU; BEN E |
| PROPERTY STREET NUMBER | 440 |
| PROPERTY STREET DIRECTION | |
| PROPERTY STREET NAME | WOODSIDE AVE |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912226007

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|---------------------------|-----------------|
| PIN | 0912226007 |
| OWNER | BRICKMAN; DONNA |
| PROPERTY STREET NUMBER | 439 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 6TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

Exhibit B 6/8

PIN: 0912214012

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|---------------------------|----------------------|
| PIN | 0912214012 |
| OWNER | SCALES; JOHN & KAREN |
| PROPERTY STREET NUMBER | 435 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912222003

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|---------------------------|-----------------------|
| PIN | 0912222003 |
| OWNER | BENSON; DONALD & JOAN |
| PROPERTY STREET NUMBER | 455 |
| PROPERTY STREET DIRECTION | |
| PROPERTY STREET NAME | WOODSIDE AVE |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912214013

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|---------------------------|--------------------|
| PIN | 0912214013 |
| OWNER | NAPLETON; PAUL & K |
| PROPERTY STREET NUMBER | 441 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

PIN: 0912226002

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|---------------------------|---------------|
| PIN | 0912226002 |
| OWNER | REEDY; MARY M |
| PROPERTY STREET NUMBER | 424 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | WOODSIDE AVE |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

Exhibit B 7/8

PIN: 0912222009

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|---------------------------|------------------------|
| PIN | 0912222009 |
| OWNER | MALINOWSKI, DIANE R TR |
| PROPERTY STREET NUMBER | 452 |
| PROPERTY STREET DIRECTION | E |
| PROPERTY STREET NAME | 4TH ST |
| PROPERTY APARTMENT | |
| PROPERTY CITY | HINSDALE |
| PROPERTY ZIPCODE | 60521 |

Map Report DuPage County GIS

Exhibit B 3/8

OWNER AND TAX BILL ADDRESS:
MATTHEW BOUSQUETTE
448 E. FOURTH STREET
HINSDALE, IL 60521

BRING A RESUBDIVISION OF PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 12 TOWNSHIP 38 NORTH, RANGE 11 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

COUNTY CLERK'S CERTIFICATE
STATE OF ILLINOIS
COUNTY OF DUPAGE
}

I, _____ COUNTY CLERK OF SEABOARD COUNTY,
KNOWS TO HEREBY CERTIFY THAT I HAVE NOT RECORDED ANY CONVEYANCE
NOT SUBJECT TO UNIFORM CURRENT CAPITAL TAXES, NO UNIFORM
PROPERTY OR UNIFORM SPECIAL ASSESSMENTS, NO RETENABLE TAX
SALES AGAINST ANY OF THE LAND SHOWN ON THIS PLAN.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, DUPAGE COUNTY, ILLINOIS,
THIS _____ DAY OF _____ 20____

COUNTY CLERK, DUPAGE COUNTY, ILLINOIS _____

STATE OF IOWA) ss
COUNTY OF AUDUBON)

ABBREVIATIONS.

| | |
|-----------------|-----------------|
| A | ANC LIGNIN |
| OH | OH |
| CH ₂ | CH ₂ |
| CONC | CONC |

1. NAME
2. AGENCY
3. POSITION
4. PHONE NO.
5. FAX NO.
6. E-MAIL
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DRAINAGE CERTIFICATE

STATE OF IOWA
JSS.

DATED THIS _____ DAY OF _____ 20____

ENGINEER

OWNER

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| APPROVED BY TSM | DATE |
| CHECKED BY TSM | DATE |
| APPROVED BY TSM | DATE |

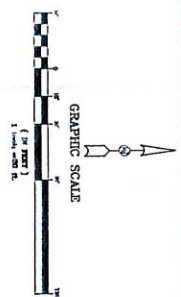
1. BASE OF FIRMNESS: ASSURED

1. **DISCOUNTS** BASED ON FIELD SURVEY BY ENVIRONMENTAL RESOURCE ASSOCIATES, INC., ON MAY 10, 2018.
2. **3/4" HOOT PILES SET AT ALL CORNERS** (BASELESS OTHERWISE NOTED).
3. **DISCOUNTS** SHOW THAT 50.25 ARE FEET AND REDUCED PILES THEREOF. ANOTHER DATA SHOWS THAT 90' 00' 00' INDICATES DEPTHS, LENGTHS AND SECTIONS. DISCOUNTS SHOW IN PARALLELNESS AND REDUCED.

 LOT LINE
 BOUNDARY LINE
 EASEMENT LINE

CHICAGO

ON CHINESE
DOING CONCRETE
E EAST
F FOLDED AND FIVE
H NORTH
K MARKS
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N SOUTH
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C DOCUMENT
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| AREA SUMMARY | |
|-----------------------|-------------------------------|
| LOT 1 | = 47,960 SQ. FT. (1.101 AC.)± |
| LOT 2 | = 43,408 SQ. FT. (0.992 AC.)± |
| TOTAL SUBDIVIDED AREA | = 91,368 SQ. FT. (2.093 AC.)± |

MATTHEW BOUSQUETTE
444 & 448 E. 4TH STREET
HINSDALE, ILLINOIS

TITLE:

BOUSQUETTE'S RESUBDIVISION

| | |
|---------|---------------|
| SCALE: | 1"=30' |
| DATE: | JULY 10, 2001 |
| JOB NO: | 151012 |

Q:\PROJECTS\Bouquetta\151012.00 444-440-410-SH-redata\CADD\151012 PLAT OF SUBDIVISION.dwg Updated by: bmarthek 7/10/2019

Exhibit C
12

FINAL AS-CONSTRUCTED GRADING PLAN

PART OF LOT 2 IN ROBINS PARK ADDITION TO HINSDALE AND PART OF LOT 1 TOGETHER WITH THAT PART OF VACATED OAKWOOD PLACE LING WEST, ALL IN THE SOUTH 1/2 OF THE NORTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN SHERBORN COUNTY, ILLINOIS. PROJECT NO. 15-222-007 & 15-222-008

| | |
|------------------|--|
| DATE | 1-1-15 |
| PROJECT NO. | 15-222-007 & 15-222-008 |
| PROJECT NAME | ROBINS PARK ADDITION TO HINSDALE AND PART OF LOT 1 TOGETHER WITH THAT PART OF VACATED OAKWOOD PLACE LING WEST, ALL IN THE SOUTH 1/2 OF THE NORTHWEST 1/4 AND THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN SHERBORN COUNTY, ILLINOIS. |
| PROJECT LOCATION | PROJECT NO. 15-222-007 & 15-222-008 |

1/4" = 10' OF HORIZONTAL
1" = 10' OF VERTICAL



STANDARD SYMBOLS

- 1. EXISTING GRADE
- 2. PROPOSED GRADE
- 3. EXISTING ELEVATION
- 4. PROPOSED ELEVATION
- 5. EXISTING ELEVATION
- 6. PROPOSED ELEVATION
- 7. EXISTING ELEVATION
- 8. PROPOSED ELEVATION
- 9. EXISTING ELEVATION
- 10. PROPOSED ELEVATION

NOTE: ALL INFORMATION TAKEN FROM RECORDS ENGINEERING, INC. SITE PLAN DATED 3-18-2008.

ENGINEERING RESOURCES ASSOC. HEREBY CERTIFIES THAT THE CONSTRUCTION MEETS THE REQUIREMENTS AND STANDARDS OF THE BOARD OF ENGINEERS.

DATED THIS 21st DAY OF OCTOBER, 2015

1. J. R. GARDNER, ENGINEER

I, J. R. GARDNER, ENGINEER, DO HEREBY CERTIFY THAT THE PLAN HEREON IS A CORRECT AND TRUE REPRESENTATION OF THE INFORMATION FURNISHED TO ME BY THE CLIENT AND THAT I AM A duly Licensed Professional Engineer in the State of Illinois.

REGISTERED PROFESSIONAL ENGINEER NO. 062-028708

FINAL GRADING PLAN DATED: OCTOBER 21, 2015

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REGISTERED PROFESSIONAL ENGINEER

ENGINEERING ASSOCIATES, INC.

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#9 EXISTING ZONING

The subject property is zoned R-1 Single Family District. The subject property is a single-family residence. The subject property will remain a single-family residence in conformance with the applicable Village Zoning Code.

Exhibit D

#10 CONFORMITY

The subject property is an R-1 residential lot that conforms to the width, depth and square footage requirements of the Hinsdale Village Code. The specific dimensions, shape, and location of the lot can best be ascertained by viewing the survey of the property attached hereto as Exhibit C. The issue arising in this variance request relates to the fact that the existing easterly interior side-yard setback is 10.41 feet. The existing house (built before the current side-yard setbacks were adopted in the Code) would require an 11.941 foot setback under the current Village Code. However, this existing non-conformity condition predates the Village's adoption of the side-yard setbacks set forth in Section 3-110 of the Village Code and the house has existed with this side-yard setback for approximately 36 years. All other setbacks and location and size requirements are in conformity with the Code.

Applicant seeks a variance to add an additional 3,526 square feet of property to the west side of his property by deeding footage from his adjoining property located at 444 E 4th Street. Applicant is the owner of both 448 and 444 E 4th Street. Both lots are through lots that run street to street – from 4th Street to Woodside. The proposed additional width varies from zero additional width in the rear of the property (Woodside) to approximately 11 feet at the front of the property (4th Street) and can best be understood by reference to the attached survey of the proposed re-subdivision. The proposed additional property is highlighted in yellow. The existing structure at 448 is not being changed or altered in any way. It will remain in its current location. Applicant seeks only to add a small amount of width to the westerly side of his yard at 448. After approval of this requested variance the end result would be that 448 and 444 would remain the two largest lots on the block and well in excess of the required 30,000 minimum square footage. 448 would consist of 43,408 square feet and 444 would be 47,960 square feet. They would also meet all other requirements post-transfer with the one exception of the existing westerly side-yard setback of the existing house at 448 E 4th.

Under the Village's unique method for determining interior side-yard setbacks, the existing easterly side-yard setback requirement would increase because of the additional width being added to the property. The Village calculates the interior side-yard setback by a formula that is roughly stated as

Exhibit E
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“6 feet + 10% of the width over 50 feet.” The steps necessary for the calculation of the interior side-yard setback are as follows:

- 1) first determines the median distance from the street to the front of all of the houses on the block;
- 2) secondly, determine the width of the subject property at the median distance;
- 3) Third, calculate the amount of the width over 50 feet;
- 4) Fourth, calculate 10% of the distance over 50 feet;
- 5) Fifth, add 6 feet to the 10% amount of width

This calculation yields the required interior yard setback.

In this application, the current width of the existing 448 property, as measured at the required median location from the street, is 109.41 feet.

Applicant is adding 10.94 feet in width at the median location. This makes the proposed new lot 120.35 feet in width at the median measurement location.

Then you subtract 50 feet from the 120.35 feet to arrive at 70.35 feet.
($120.35 - 50 = 70.35$)

Then you calculate 10% of the 70.35 feet to arrive at 7.035 feet.

Then you add 6 feet to the 7.035 feet to arrive at the new interior side-yard setback requirement of 13.035 feet.

The current 448 house is located 10.41 feet from the easterly side-yard. the existing house (built before the current side-yard setbacks were adopted in the Code) would have required an 11.941 foot setback. Thus, the house, as it exists today, is 1.541 feet ($11.941 - 10.41 = 1.541$) over today's interior side-yard setbacks.

Exhibit E
2/3

The new calculation, after the addition of the proposed footage, results in the existing house requiring a 2.625 variance under the new calculation for interior side-yard setbacks. $(13.035 - 10.41 = 2.625 \text{ feet})$

Thus, **Applicant is in reality only seeking an additional 1.094 foot variance to accommodate the new calculation required by the addition of the westerly side-yard property.** $(13.035 - 11.941 = 1.094 \text{ feet})$

Exhibit E
3/3



Exhibit F

#3 VARIANCE SOUGHT

Applicant seeks a reduction of the required interior side-yard setback required under Section 3-110 (D)(2)(b) of the Village Code after the addition of 3,526 square feet to the westerly side of applicant's property at 448 E 4th Street. Applicant seeks to increase the width of his 448 property as set forth above. Under the formula used by the Village to determine the required interior side-yard setbacks, the required side-yard setback would increase by 2.65 feet – which is just 1.094 more than the interior side-yard setback required for the house and lot without the addition of the new westerly side-yard property.

The existing easterly side-yard setback is currently 10.41 feet. Applicant seeks only a minimal variance of the required interior side-yard setback. No structural changes are being sought for the house structure. Applicant merely seeks technical compliance with the Village's interior side-yard setback requirements in order to add a small amount of property to his westerly side yard. The house would remain exactly where it has been for over approximately 36 years.

Exhibit G

SECTION II

#4 Minimum Variation

A variance of 2.625 feet of the interior side-yard setback requirement is sought to accommodate the existing side-yard setback. This application seeks this minimal variance of the interior side-yard setback in order to allow the house structure to remain in its existing location while adding a small amount of property to the westerly side yard. The details are set forth above.

Exhibit A

SECTION II

#5 Standards For Variation.

The proposed addition of 3,526 square feet from 444 E 4th Street to 448 E 4th Street would result in a lot that continues to conform to all the width, depth and size requirements of the Village Code. The existing 448 lot comprises 39,482 square feet and the new 448 lot would be 43,408 square ft. The re-subdivision would have a negligible impact on 444, reducing its size from 51,486 square feet to 47,960 square feet. Both 444 and 448 would remain the two largest lots on the block. The variance would allow the applicant to balance the size of the two lots. The current imbalance in size between 444 (the larger lot) and 448 (the smaller of the two lots) exists because of the previous existence of a now-abandoned public street (known as Oakwood Place) that existed between the two lots. Both houses' driveways fed into that prior street. Years ago the Village abandoned Oakwood Place and deeded the street property to the 444 and 448 lots. Reciprocal easements were granted as between 444 and 448 for use of the previous Oakwood Place as a driveway for both houses. Unfortunately, the Village also abandoned an unknown sewer line coming from a neighboring house on Woodside which burst and poured open raw sewage into applicant's front yard. Neither the offending homeowner, the Village of Hinsdale, nor Flagg Creek provided any assistance to remedy this raw sewage mess. Applicant thus had to tear up his driveway to locate the multiple breaks in the old sewer line and remove it at a cost of over \$25,000.

As part of the driveway repairs, applicant had to repair and improve the existing Village storm drainage and culvert system that meandered and repeatedly crossed over between 444 and 448 E 4th Street as it drained alongside the abandoned Oakwood Place. Applicant straightened out the meandering drainage trench to improve the drainage system which often backed up and overflowed. To accomplish this task, Applicant had to slightly encroach upon the easterly side of the 444 property line. Applicant now seeks to legally record his efforts in order to have full control to maintain the entire area of the drainage system. In effect, applicant is seeking to deed the area of the drainage system to the 448 property.

A Picture of the completed new driveway and the improved drainage system is submitted as Exhibit F.

Exhibit I
1/4

a) Unique Physical Condition

As shown above, the abandonment of Oakwood Place, the broken and abandoned sewer line which caused Applicant to have to tear up his driveway, and the Village's meandering and unkept drainage system presented a unique physical condition.

b) Not Self-Created

The side-yard setback condition is not a self-created condition. The house was built before the current side-yard restrictions were enacted. The house has always been in its current location and will remain in that location.

The sewer line's existence was not disclosed to the Applicant when he purchased the house and no written easement exists identifying the existence of the sewer line. Further, Applicant had no control over a neighbor's sewer line that traversed his property and burst spilling the neighbor's sewage into his yard. Waking up to finding his yard filled with his neighbor's sewage was not something that was self-created by the Applicant.

The Village's meandering drainage system was in a state of disrepair and was negatively impacted when the sewer line burst and spilled raw sewage into the storm drainage system. Absent any help from the owner of the sewer line, The Village of Hinsdale, nor Flagg Creek, the applicant undertook the repair of the sewer and improvement of the drainage system.

c) Denied Substantial Rights

The denial of this variance request would be an injudicious application of the Village Code that would accomplish nothing for the public benefit. Adding a small amount of land to the 448 property makes the existing structure better situated on its lot and appear more harmonious with the surrounding neighborhood. It would help to balance the size difference between the frontage of 444 and 444 E 4th Street. The existing structure would not change and the existing easterly side-yard setback would not change and the house will remain exactly as it has been for approximately 36 years. Denial of this application would serve no purpose.

Exhibit I
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d) Not merely Special Privilege.

Applicant submits that fixing his neighbor's broken sewer line which destroyed his driveway (the leaking sewer and water pressure created large mounds in multiple locations of applicant's driveway as the sewage flowed into applicant's yard), along with repairing the Village's dilapidated drainage system, can in no way be considered a special privilege. Further, the granting of the variance to grant applicant control over his repair efforts will have zero impact on anyone, especially since applicant owns both parcels of property involved in this matter.

e) Code and Plan Purposes

The requested variance is in the general spirit of the Village Code to promote harmonious appearing residential neighborhoods. The variance will not change the location of any existing structure at 448. It merely balances out the aesthetic appeal of the adjoining properties by making the lots more harmonious in their sizes.

f) Essential Character of the Area

1) The granting of the variance would improve the overall aesthetic character of the area and balance the lot sizes between 444 and 448 to create a more harmonious feel to the block. There would be no detrimental impact whatsoever on the public welfare or would it be injurious to the enjoyment, use and value of the neighborhood.

2 & 3) The variance would have no impact on any environmental concern in the neighborhood with no effect on the supply of light, air or other public matter. Physically nothing would change from its current condition. A property line would simply be moved a few feet. No traffic issues would be affected.

Exhibit I
3/4

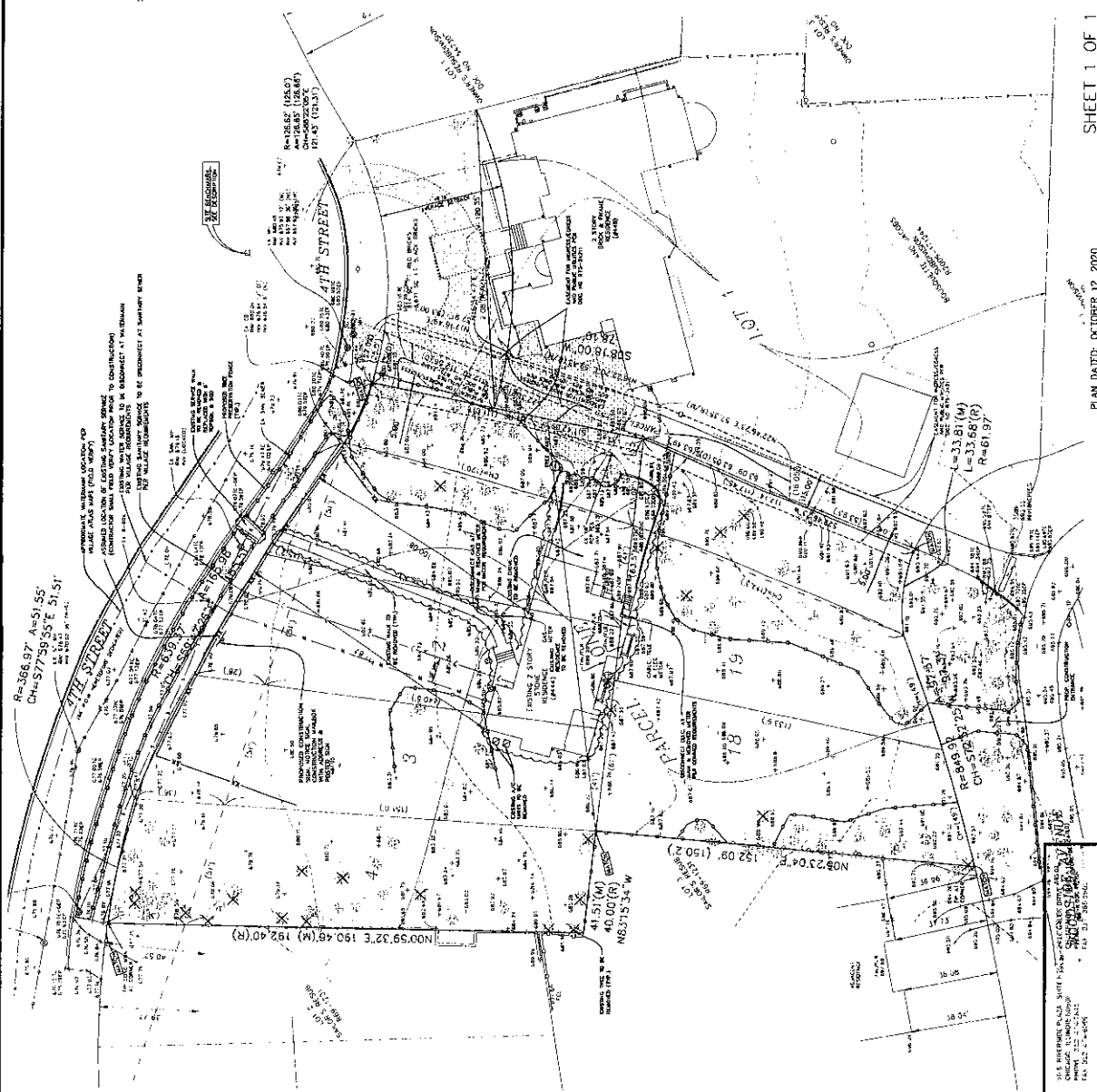
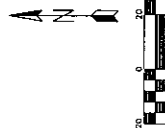
4) The impact on potential flooding is actually improved by applicant's efforts to renovate the Villages drainage system that had fallen into disrepair and was indeed entirely clogged when applicant purchased the property.

5/6) Public health, utilities and the reduction in potential flooding have been ameliorated by applicant's repair of the broken sewer line and dilapidated drainage system and has no effect on taxes, utilities or anything else in the area and does not endanger public health or safety.

g) No Other Remedy.

The abandonment of Oakwood Place, combined with the previous meandering storm drainage, which previously traversed between the two adjacent properties at intermittent locations, and the bursting of the neighbor's sewer line, created a unique situation which needed to be repaired and updated. Indeed, the Dupage County Health Department demanded that applicant repair the neighbor's burst sewer line. Thus applicant, as the owner of the two adjacent properties undertook the effort and expense to make the repairs to the Village's drainage system and the burst sewer line. In an effort to maintain control over his improvements, applicant simply seeks to establish these improvements all on one legal property. No other remedy makes practical sense.

Exhibit I
4/4



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DATE: 10/12/2020
PROJECT: 2020-000000
SHEET: 1 OF 1
SHEET TITLE: 10/12/2020

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