



MEETING AGENDA

ZONING BOARD OF APPEALS
WEDNESDAY, December 15, 2021
6:30 P.M.
MEMORIAL HALL – MEMORIAL BUILDING
19 East Chicago Avenue, Hinsdale, IL
(Tentative & Subject to Change)

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
 - a) November 17, 2021
- 4. APPROVAL OF FINAL DECISIONS OR FINDINGS OF FACT**
 - a) V-07-21, 31 Blaine Street
- 5. RECEIPT OF APPEARANCES**
- 6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO MAKE PUBLIC COMMENT OF A GENERAL NATURE**
- 7. PRE-HEARING AND AGENDA SETTING**
- 8. PUBLIC HEARING**
 - a) V-08-21, 5515 and 5517 South Elm Street
 - b) V-09-21, 332 and 328 North Oak 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 the ADA Coordinator Brad Bloom at 630-789-7007 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
November 17, 2021**

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, November 17, 2021 at 6:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. ROLL CALL

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

Absent: Member John Podliska

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

3. APPROVAL OF MINUTES

a) October 20, 2021

There being no changes or corrections to the draft minutes, Member Giltner moved to approve the draft minutes of October 20, 2021, as presented. Member Alesia seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Member Podliska

Motion carried.

4. APPROVAL OF FINAL DECISIONS OR FINDINGS OF FACT – None

5. RECEIPT OF APPEARANCES

The Court Reporter administered the Oath to all persons intending to speak at the public hearing.

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

7. PRE-HEARING AND AGENDA SETTING

a) V-08-21, 5515 and 5517 South Elm Street

Mr. Matthew Klein, attorney representing the applicant, Mr. Alan Berger, addressed the Board. Mr. Klein stated that Mr. Berger owns two lots on Elm Street, each are about 17,000' foot lots. The zoning district requires 15,000' foot lots. Additionally, lots are required to be 70' feet wide, these lots are 60' feet wide. The Village believes the two lots are one zoning lot, his client

disagrees. The variance requested would reduce the required lot width to 60' feet, and treat each lot as a legal non-conforming lot of record. He noted the ZBA has limited authority in this matter, and the Village Board of Trustees would have final approval of the request. Mr. Klein confirmed the lots on the same side of Elm Street as the subject properties are 60' feet wide. On the opposite side of the block, lots are permissible width, but smaller square footage on many. Between 55th and 57th Streets about two thirds of the lots are legal non-conforming lots of record on which a house can be rebuilt. The lots predate the zoning code, but many homes have been rebuilt recently. The subject lots are currently vacant. Member Moberly cautioned Mr. Klein that approval of a request to subdivide a lot is an uphill climb, and Mr. Klein should focus on the hardship aspect. Mr. Klein said he has had this argument with the Village for many years, and the concept of legal non-conforming lots is unique to Hinsdale. He described what he knows of the history of buildings on these properties, but from the 1950's there has been one house on the lots. Mr. McGinnis said the ZBA would have to grant 10' feet of relief for each underlying lot of record to make them separate conforming lots of record. Mr. Klein believes this is a matter of equity for the property owner.

Chairman Neiman asked Mr. Klein to be prepared to take the Board through the approving criteria, and if possible demonstrate neighbor support.

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

b) V-09-21, 332 and 328 North Oak Street

Mr. Eric Johnson, architect representing the homeowners, Ms. Katelyn and Mr. Blake Geoffrion, addressed the Board to request a variance to combine two lots and build an addition on the existing home. Currently, the house conforms to side yard requirements. If a variance is granted, the current home will not conform to new larger side yard requirements. They are asking to maintain the existing 5.85' foot side yard for the existing house. He noted the new addition would expand north and potentially west, and clarified that the variance is required not for the future addition, but because of the combining of the lots. The combining of lots increases the width of the lot from 56' feet to 112' feet, and as a result the side yards are recalculated. The new addition would not encroach into the 12.2' foot new side yard requirement.

Chairman Neiman asked Mr. Johnson to be prepared to take the Board through the approving criteria, and if possible demonstrate neighbor support.

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

8. PUBLIC HEARING

a) V-07-21, 31 Blaine Street *(A transcript of the following proceedings is no file with the Village Clerk.)*

Chairman Neiman opened the public hearing. Mr. Sean Taylor and Ms. Janelle Taylor addressed the Board. Mr. Taylor began by stating that the house was built in 1893; their goal is to modernize the home and add a main bedroom on the second floor with en suite above the existing first floor. The addition would

1 conform to the existing first floor. They are requesting relief from the side yard
2 vertical extension requirement. The house is currently 3.75' feet off the lot line,
3 and to build up, they need 2.25' feet of relief. He reviewed the following
4 criteria:

- 5 1 Unique physical condition: The existing structure was built within 3' feet of
6 the lot line at a time when it was allowable by code. They could tear it down,
7 but would prefer to keep it. They 'inherited' these restrictions.
- 8 2 Not self-created: The house was built this way when code allowed, they did
9 not alter the property.
- 10 3 Denied substantial rights: The code supports non-conforming extensions, it
11 is not feasible to tear it down and rebuild.
- 12 4 Not merely special privilege: They love the old home, but would like to make
13 it more usable. They would like laundry and bedrooms on the same floor to
14 create a normal primary suite that will last the test of time.
- 15 5 Essential character of the area: They will make the addition fit the historic
16 Robbins district. This would be more in keeping with the house,
17 aesthetically pleasing, and more becoming to the house and neighborhood
- 18 6 No other remedy: They looked at other options, including cutting into the
19 existing house, but would lose the functional space of their den. Otherwise,
20 they would have to go back into the property creating an unfortunate look
21 on the exterior. They don't want to upset the original four square aspect of
22 house. Economic factors were a problem, too.

23 Mr. Taylor referenced letters of support from the surrounding neighbors that
24 have been provided to the Board.

25 **Ms. Caitlin Klein, 34 S. Park**, addressed the Board stating she is the neighbor
26 directly next to the future addition, and is supportive of this request.

27 Member Lee pointed out that the property is not square with the property line
28 and a slightly larger relief might be necessary. Mr. Taylor said he understands,
29 and wondered if extra cushion should be added to the request.

30 Mr. McGinnis said the intent is to stack the addition over the existing first floor,
31 and the code instructions are that the variation should be limited to the minimum
32 relief needed. However, in this case it wouldn't hurt to increase the request
33 slightly for extra cushion. The Board agreed to increase the requested relief
34 from 2.25' feet to 2.75' feet in the event it should be necessary. The Clerk
35 confirmed that the language of the public notice allows for this type of
36 modification.

37 There were no further questions from the Board.

38 Member Murphy moved to **close the public hearing for V-07-21, 31 Blaine**
39 **Street**. Member Giltner seconded the motion.

40
41 **AYES:** Members Moberly, Alesia, Giltner, Murphy, Lee and Chairman Neiman

42 **NAYS:** None

43 **ABSTAIN:** None

44 **ABSENT:** Member Podliska

45
46 Motion carried.
47

DELIBERATIONS

Member Moberly began deliberations stating he believes the Zoning Board of Appeals is sensitive to the considerations of historic homes, and this is a well thought out variation request. He agrees it is a good idea to request the minimum variance, and is in support of granting this variation. All other Board Members agree.

Chairman Neiman recounted a personal story about a friend of his who believes that inanimate objects have a soul, and following care and renovations over many years on Chairman Neiman's home, the friend remarked 'the house is now everything it always wanted to be'. Chairman Neiman commented the Taylors are undertaking a similar journey with their home on Blaine.

Member Moberly moved to **approve the variation known as V-07-21, 31 Blaine Street**. Member Murphy seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Member Podliska

Motion carried.

9. NEW BUSINESS – None

10. OLD BUSINESS – None

11. ADJOURNMENT

With no further business before the Zoning Board of Appeals, Member Murphy made a motion to **adjourn the Zoning Board of Appeals of November 17, 2021**. Member Giltner seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Member Podliska

Motion carried.

Chairman Neiman declared the meeting adjourned at 7:11 p.m.

Christine M. Bruton

Approved: _____

4a

FINAL DECISION

VILLAGE OF HINSDALE ZONING BOARD OF APPEALS PETITION FOR VARIATION

Zoning Calendar: V-07-21

Petitioner: Sean Taylor

Meeting held: Public Hearing was held on Wednesday, November 17, 2021 at 6:30 p.m. in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdelean on October 28, 2021.

Premises Affected: Subject Property is commonly known as 31 Blaine Street, Hinsdale, Illinois and is legally described as:

Permanent Index Numbers 09-12-202-005
THE NORTH 38 FEET OF LOT 7 AND THE SOUTH 12 FEET OF LOT 8 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 PRINCIPLE MERIDIAN ACCORDING TO THE PLAT OF SAID GLADSTONE PARK, RECORDED SEPTEMBER 17, 1887 AS DOCUMENT 38039, IN DUPAGE COUNTY, ILLINOIS

Subject: In this application for variation, the applicant requests relief from the Side Yard Vertical Extensions requirement set forth in section 10-104(B)(2) of the Code in order to construct a second floor addition. This provision affords owners of precode structures the ability to maintain a non-conforming side yard setback, but limits it to no less than 6' by right. The house currently sits approximately 3.75' off the lot line and the specific request is for 2.75' of relief.

Facts: This legal non-conforming property is located in the R-4 Single family Residential District in the Village of Hinsdale and is located on the east side of Blaine Street between Chicago Avenue and First Street. The property is non-conforming and has an average width of 50', an average depth of approximately 132', and a total square footage of approximately 6,591. The maximum FAR is 2,800 square

feet; the maximum allowable building coverage is 25% or approximately 4,395 square feet, and the maximum lot coverage is 60% or 3,954 square feet.

Action of the Board: Members discussed the request and agreed that the standards for variation set forth in 11-503 (F) of the Hinsdale Zoning Code had been met and recommended approval. Comments were made about the essential character of the area, the fact that it was not self-created, and the fact that the neighbor most directly affected spoke in support of the request. A motion to approve the request was made by Member Moberly and seconded by Member Murphy.

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

NAYS: None

ABSTAIN: None

ABSENT: Member Podliska

THE HINSDALE ZONING BOARD OF APPEALS

Chairman Robert Neiman

Filed this ____ day of _____, _____, with the office of the Building Commissioner.



8a

MEMORANDUM

DATE: November 5, 2021

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

CC: Christine Bruton, Village Clerk

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

RE: **Zoning Variation – V-08-21; 5515/5517 S. Elm Street**

In this application for variation, the applicant requests relief from the Minimum Lot Width requirements set forth in section 3-110(C)(3) in order to create two Zoning Lots. The specific request is for a 10' reduction in the required lot width for each of the two existing Non-conforming Lots of Record.

It should be noted that ZBA authority is limited to 10% in this case. In the event four affirmative votes are received, this request will move on to the Board of Trustees as a recommendation.

This property is located in the R3 Residential Zoning District in the Village of Hinsdale and is located on the east side of Elm Street between 55th and 57th. The property has a frontage of approximately 120', a depth of approximately 297', and a total square footage of approximately 35,640. The maximum FAR is .20 plus 2,000 or 9,128 square feet, the maximum Building Coverage is 25% or 8,910 square feet, and the maximum Total Lot Coverage is 50% or 17,820 square feet.

cc: Kathleen Gargano, Village Manager
Zoning file V-08-21



19 E. Chicago Avenue, Hinsdale, IL 60521

APPLICATION FOR VARIATION

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

FILING FEE: \$850.00

Name of Applicant(s): Alan Berger

5515 S Elm St
Address of Subject Property: 5517 S Elm St

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

Matthew Klein, attorney
324 W Burlington
LaGrange IL 60525

FOR OFFICE USE ONLY

Date Received: 11/4/21 CB Zoning Calendar No. V-08-21

PAYMENT INFORMATION: Check # Check Amount \$

SECTION 1- NAME & CONTACT INFORMATION

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

Name: Alan Berger

Address: 601 Lakeside Dr Hinsdale IL

Telephone: [REDACTED] email: [REDACTED]

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

Name: Matthew Klein

Address: 324 W Burlington LaGrange IL

Telephone: 708 354 8840 email: matthew.klein55@gmail.com

3. **Consultants.** Name and contact information (phone or email) of each professional consultant advising applicant with respect to this application:

a. Attorney: Matthew Klein

b. Engineer: _____

c. Architect: _____

d. Contractor: _____

e. Other: _____

4. **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: _____

5. **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. _____

SECTION 2- REQUIRED DOCUMENTATION

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

PIN Number: 09-13-206-007, 008

Address: 5515, 5517 S Elm

2. **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.
3. **Neighboring Owners.** 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.
(Note: 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.)
4. **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.
5. **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.
6. **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.
7. **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. *(Section 4 of this application)*
8. **Successive Application.** In the case of any application being filed less than two years after the denial of an application seeking essentially the same relief, submit with this application a statement as required by Sections 11-501 and 11-601 of the Hinsdale Zoning Code.

SECTION 3- ZONING RELIEF REQUESTED

1. **Ordinance Provision.** The specific provisions of the Zoning Ordinance from which a variation is sought: *(Attach separate sheet if additional space is needed.)*

See attached

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

See attached

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

See attached

**SECTION 4- STANDARDS FOR VARIATION
AS SET FORTH IN SECTION 11-503(F)**

(Fence Applications – Section 5)

Provide an explanation of the characteristics of the Subject Property that prevent compliance with the provisions of the Zoning Ordinance, and the specific facts you believe support the granting of the requested variation(s). In addition to your general explanation, you must specifically address each of the following conditions required for approval by the Zoning Board of Appeals. Attach a separate sheet of paper to your application marked Section 4 – Standards for Variation.

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

SECTION 7- EXPLANATION OF FEES & APPLICANT SIGNATURE

1. **Application Fee and Escrow.** Every application must be accompanied by a non-refundable application fee of \$250.00 plus an additional \$600.00 initial escrow amount. The applicant must also pay the costs of the court reporter's transcription fees and legal notices for the variation request. A separate invoice will be sent if these expenses are not covered by the escrow that was paid with the original application fees.
2. **Additional Escrow Requests.** Should the Village Manager at any time determine that the escrow account established in connection with any application is, or is likely to become, insufficient to pay the actual costs of processing such application, the Village Manager shall inform the Applicant of that fact and demand an additional deposit in an amount deemed by him to be sufficient to cover foreseeable additional costs. Unless and until such additional amount is deposited by the Applicant, the Village Manager may direct that processing of the application shall be suspended or terminated.
3. **Establishment of Lien.** The owner of the Subject Property, and if different, the Applicant, are jointly and severally liable for the payment of the application fee. By signing the application, the owner has agreed to pay said fee, and to consent to the filing and foreclosure of a lien against the Subject Property for the fee plus costs of collection, if the account is not settled within 30 days after the mailing of a demand for payment.

By signing below, the owner or their authorized representative, 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 Applicant(s): Alan Berger

Signature of Applicant: Alan Berger

Signature of Applicant: _____

Date: 11/3/21

Berger Variation
5515 S Elm Street
5517 S Elm Street

Section 2

1. Subject Property

09-13-206-007 5515 S Elm
09-13-206-008 5517 S Elm

LOT 42 IN BLOCK 2 IN BRANIGAR BROTHERS HINSDALE HEIGHTS, BEING A SUBDIVISION OF THE NORTH 1,550 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 26, 1920, AS DOCUMENT 142482 , IN DUPAGE COUNTY, ILLINOIS.

LOT 43 IN BLOCK 2 IN BRANIGAR BROTHERS HINSDALE HEIGHTS, BEING A SUBDIVISION OF THE NORTH 1,550 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 26, 1920, AS DOCUMENT 142482 , IN DUPAGE COUNTY, ILLINOIS.

2. Title. Deed attached.
3. Neighboring Owners. List is attached
4. Survey. Survey is attached.
5. Existing Zoning. The surrounding area is zoned R-3 and developed with single family homes. Few lots within the surrounding area conform to the R-3 district requirements. Only 5 of 35 lots on the Elm Street frontage meet R-3 zoning district requirements, yet all except the two subject lots can freely be used for the construction of a new home. A sizable majority of lots in the R-3 zone fronting on 57th Street north to 55th Street fail to conform to R-3 zoning either by frontage less than 70 feet or area less than 15,000 square feet yet can freely be used for construction of a new home. See map segment attached.
6. Conformity. The proposed variation is in conformity with the Comprehensive Plan and Map. The Village by its plan and zoning has deemed it proper and appropriate to preserve and redevelop existing lots of less than 70 feet in width and less than 15,000 square feet in area. The Berger's lots, each designated as a separate lot by the Berger's, are each 17,500 square feet in area (conforming), and identical to the 60 foot width of all 20 interior lots on the east side of Elm Street.

Berger Variation
5515 S Elm Street
5517 S Elm Street

7. Zoning Standards. See response to
8. Successive Application. This is not a successive application.

Section 3

1. Ordinance Provision

3-110 C 3 a [R-3] lot width

2. Variation Sought

3-110 C 3 a [R-3] Reduce required lot width from 70 ft to 60ft

10-105 Deem the requirements of 10-105 related to Legal
Nonconforming Lots of Record applicable to each lot

3. Minimum Variation

Allow 60 lot width on each lot, and deem each of lot a Legal Nonconforming Lot
of Record.

Berger Variation
5515 S Elm Street
5517 S Elm Street

Section 4

Standards for Variation

a) Unique Physical Condition

Each of the two lots is 60 feet in width and 17,809 square feet in area, like each of the 18 other lots (each non-conforming due to 60 foot width) on the east side of Elm Street, and conforming in area. Ten (10) other lots on Elm Street fail to conform for lack of square footage. The Berger's lots are unique in that the Village ordinance as applied requires over 237% the zoning ordinance specified minimum land area (or up to nearly 450% of the land area required as the ordinance is applied to other near by lots) to build one new home. The Bergers lots are further unique in that, in an area - the Elm Street frontage - where only 6 of 44 lots conform to zoning yet can be used for construction of a new home, only the Bergers are required to combine the two lots rather than treat each very large lot as a buildable lot.

b) Not Self Created.

Each of the two platted lots was established prior to the existing ownership - by plat in 1920, well prior to the current zoning. Only the Zoning Code, as applied, and no action of the Bergers, restricts the use of each of the two lots for one home.

c) Denied Substantial Rights. Each of the other 18 lots on the east side of Elm street - each with the identical (non-conforming) 60 feet width, and equal or less square footage than the Berger's lots, may be used for construction of a new home. Each the eight (8) lots on the west side of Elm, and the two (2) corner lots on the east side of Elm, each with less than the required 15,000 square feet of lot area, may be used for the construction of a new home. That the Zoning Code and planning of the Village will allow a new home to be built on a nearby R-3 lot 50 feet wide with 8,000 square feet (5650 S Washington), another 65 feet wide with 8019 square feet (23 W 57th Street), or on any of the 18 lots on Elm identical to Berger's (60 foot width, and 17, 809 square feet), but restrict the Berger's to construction of only one new home on the combined lots with 120 feet in width and 35,619 square feet of area, denies Bergers substantial property rights enjoyed by the other owners in the area - with no benefit to the neighbors or the village.

d) Not Merely Special Privilege.

No special privilege is requested. All the Bergers propose is that each of their two vacant lots be treated on par with the many lots surrounding them - almost all lots on their block and frontage are non-conforming in either width or square footage, yet can be built upon, in a zoning district where most of the lots are non-conforming yet can be used for construction of a new home.

Berger Variation
5515 S Elm Street
5517 S Elm Street

e) Code and Plan Purpose

The proposed variation will further the maintenance of a single family residential scale and character of development. The scale and character of the neighborhood is set by the 18 lots - mostly with new homes - on 60 foot wide Non-Conforming Lots of Record on the east side of Berger's block of Elm Street, and the 10 Non-Conforming Lots of Record of less than 15,000 square feet on the west side of Elm Street across from Berger's two lots, and at the end of the block on the east side of Elm.

The code has allowed virtually every nearby lot to remain and be allowed to be reconstructed with new larger homes with out conforming to the Code width or size requirement. There is no effort in the code to eliminate nor even gradually reduce the existing lots that fall below the 70 foot required width or the 15,000 required square footage, or both.

f) Essential Character of the Area.

There would be no change in the essential character of the area. All lots fronting on the east side of the block of Elm are 60 feet in width, the same as the 60 foot existing width of each of Berger's two lots. Each of the two lots is approx 17,800 square feet - a size conforming to the 15,000 square foot zoning requirement, and larger than almost all lots in the R-3 district. Many new homes have been constructed, and almost all properties have been well maintained, not-withstanding the Village allowing new construction on many surrounding R-3 lots of less than 60 feet in width or 15,000 square feet in area, all with no detriment to the essential character of the area. Allowing each of the Berger's lots to constitute a separate Legal Non-Conforming Lot of Record likewise will have no detrimental affect on the essential character of the area - a character established by the 60 foot lots and lots of less then 15,000 square feet surrounding the Berger's property.

g) No Other Remedy

No other options are available to allow the use of Berger's two lots, as designated by the Berger's - that is 5515 and 5517 S Elm, on par with the other lots in the neighborhood.

No. 810
July, 1967

WARRANTY DEED

Joint Treasury Ethics Statutory

(Qualification to Individuals)

(The Above Space For Recorder's Use Only)

RECORDED
DU PAGE COUNTY

~~Page~~ 12 2 30 471

R71-58627

مجلس

THE GRANTOR S Arthur C. Anderson and Rosanne G. Anderson, his wife

of the Village of Oak Park County of Cook State of Illinois
for and in consideration of Ten and No/100ths (\$10.00) - - - - - "DOLLARS"

CONVEY _____ and WARRANT _____ to Alan Lee Berger and Joan Lea Berger his wife. Grantees Address: 5515 S. Elm, Moline, Illinois

of the Village of Hinsdale County of DuPage State of Illinois
not in Tenancy in Common, but in JOINT TENANCY, the following described Real Estate situated in the
County of DuPage in the State of Illinois, to wit:

Lots 42 and 43 in Block 2 in Branigan Brothers Hinsdale Heights being a Subdivision of the North, 1,550 feet of the East half of the Northeast quarter of Section 13, Township 38 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded May 26, 1920 as Document 142482, in DuPage County, Illinois.

Subject to: 1) General Taxes and special taxes for the year 1970 and subsequent years; 2) Covenants, conditions, easements, and restrictions of record; and 3) building lines and building and zoning laws and ordinances.

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 not in tenancy in common, but in joint tenancy forever.

DATED this 5th day of October 19 71

PLEASE
PRINT OR
TYPE NAMES
BELOW
SIGNATURES

Arthur C. Anderson (Self) Rosanne G. Anderson (Self)
Arthur C. Anderson Rosanne G. Anderson

Arthur C. Anderson _____ Rosanne G. Anderson _____
 _____ (Seal) _____ (Seal)

State of Illinois, County of ILL COOK ss. I, the undersigned, a Notary Public in
and for said County, in the State of ILL COOK, DO HEREBY CERTIFY that Arthur C. Anderson
and Rosanne G. Anderson, his wife

personally known to me to be the same person E, whose name E are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that E has 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 official seal, this 8th day of October 19 71

Commission expires September 20, 1974 Nancy W. Johnson

Henry W. Lehmann NOTARY PUBLIC

3/ { Mr. Henry Lehmann
(Personal)
MAIL TO: 3624 W. 216th Street
(MATTESON)
Matteson, Illinois 60443

ADDRESS OF PROPERTY:
5515 S. Elm
Hinsdale, Illinois
THE ABOVE ADDRESS IS FOR STATISTICAL PURPOSES
ONLY AND IS NOT A PART OF THIS RECORD.
SEND SUBSEQUENT TAX BILLS TO:

RECORDS OF THE DEPARTMENT OF THE ARMY
OFFICE OF THE ADJUTANT GENERAL
WASHINGTON, D. C. 20315

STAMPS HERE

STATE OF ILLINOIS
IN SENATE,
JANUARY 11, 1906.
REPORT
OF THE
COMMISSIONER OF REVENUE,
FOR THE YEAR ENDING DECEMBER 31, 1905.
CHAS. J. LUNDY,
COMMISSIONER.

DOCUMENT NUMBER

THURSDAY, DECEMBER 10, 1936

MAIL TO:

DR:

PAID FOR BY THE U.S. GOVERNMENT

ADDRESS OF PROPERTY:
5515 S. Elm

हिन्दुत्व, १९११-१९१२

THE ABOVE ADDRESS IS FOR STATISTICAL PURPOSES ONLY AND IS NOT A PART OF THIS DEED.

SEND SUBSEQUENT TAX BILLS TO:

10. *Journal of the American Medical Association*, 2000; 283: 2686-2692.

140-133

1230

11100 S. Michigan Ave.

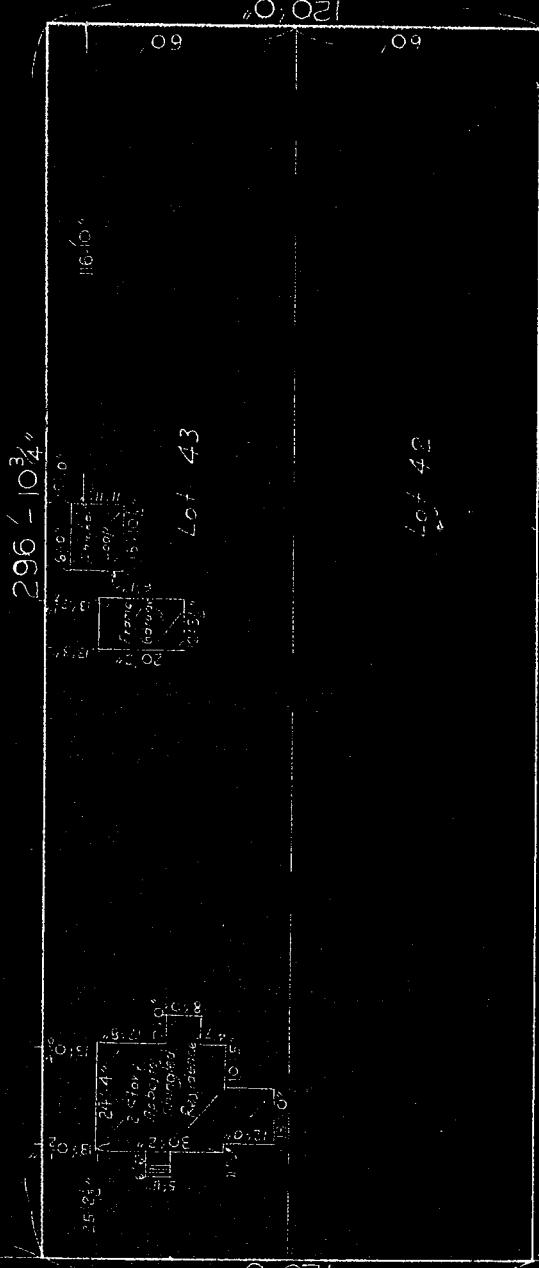
Lot Surveys
Subdivisions, Town Sites
Laid Out, Railroad Lines
Located, Drainage and
Irrigation Work.

CERTIFICATE of SURVEY by BURDA & VAN SCHELTEMA SURVEYORS & CIVIL ENGINEERS

PHONE
Pullman 5-0600
Quantities
Excavations, Estimate
Test Bore
Reports Made
Settlement
Building

South Line of 55th (10th) Street

Lots 42 and 43 in Block 2 in Ordinance 3, where
Municipal Building, being a Subdivision of the
Block 1550 East of the East 3 of the Northeast
of Section 13, Township 35 North, Range 11 East
of the Third Principal Meridian, according to the
plat thereof recorded on May 26, 1920, as document
142492, in Bureau County, Illinois.



Jesse E. and Marie D. Clarke
owners

I HEREBY CERTIFY that I have made
a resurvey on Oct 20 1925
and that the location of the
building on the above described property
correctly shown on the plat here
drawn.

Illinois Registered Land Surveyor

State of Illinois
County of Cook

THIS IS TO CERTIFY that we have surveyed
the above described property, and that the annex
that is a correct representation of said survey.

Burda & Van Scheltema

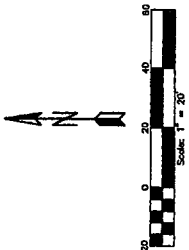
Registered

Contractors or Builders should be notified to carefully test and compare the points, measurements, etc., as noted in
this Plat with the stakes, points, etc., given on the plat, before building by the same, and it goes without saying
any or apparent inaccuracies between the same to the Surveyor so that the undersigned's disclaimer of points,
etc., may be corrected before damage is done.

LOTS 42 AND 43 IN BLOCK 2 IN BRANBAR BROTHERS HINSDALE HEIGHTS BEING A SUBDIVISION OF THE NORTH 1.550 OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 28, 1928 AS DOCUMENT 142462, IN DUPAGE COUNTY, ILLINOIS.

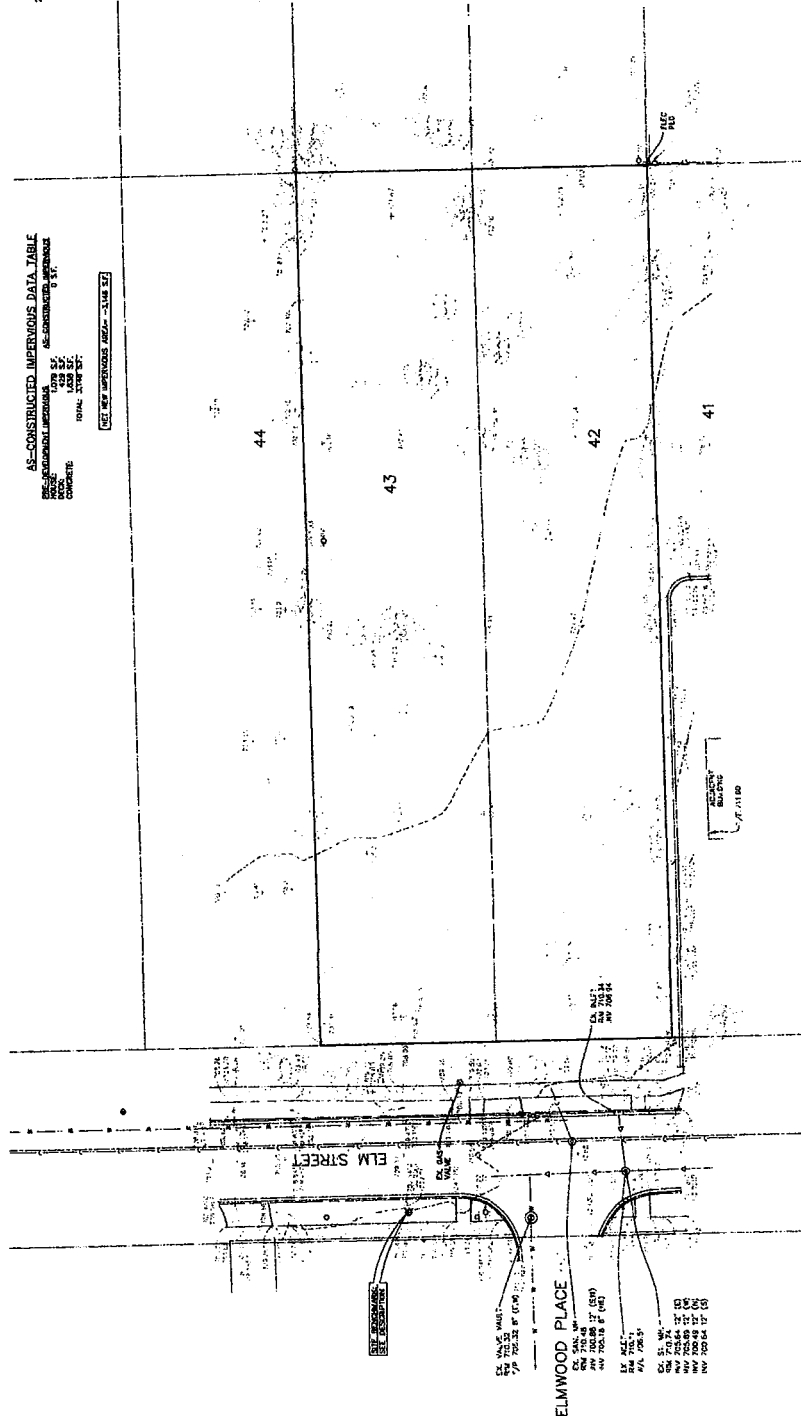
COMMISSION ADDRESS: 5515 S. ELM STREET, HINSDALE, ILLINOIS

COMMON ADDRESS: 5515 S. Elm Street. HINSDALE, ILLINOIS



AS-CONSTRUCTED IMPERVIOUS DATA TABLE		
	AS-CONSTRUCTED IMPERVIOUS	0 S.F.
PRE-DEVELOPMENT IMPERVIOUS	1,078	S.F.
HOUSE	428	S.F.
DECK	1,636	S.F.
CONCRETE		
TOTAL:	2,714	S.F.

LET NEW IMPERIOUS AREA - 1.148 SF



SITE REMARKS:
ARROW BOLT ON HYDRANT ALONG THE WEST SIDE OF
ELM STREET IN FRONT OF PROJECT SITE.
ELEV: 71.2-71.3 (NAVD 83)

ENGINEERING RESOURCE ASSOC. HEREBY CERTIFIES THAT THE CONSTRUCTION MEETS THE STORMWATER MANAGEMENT ORDINANCE OF THE VILLAGE OF HINSDALE

DATED THIS 18TH DAY OF JUNE, 2020

U. F. 062-052108

I, JON P. GREEN, HEREBY VERIFY THAT
I HAVE MEASURED THE ABOVE PROPERTY AND
THAT THE PLAN HEREON DRAWN IS A CORRECT
REPRESENTATION OF SAID CONDITIONS.
DATED AT WAGNERVILLE, N.C.
THIS 16th DAY OF JUNE A.D. 2020

AS-CONSTRUCTED FINAL GRADING PLAN DATED: JUNE 16, 2020 SHEET 1 OF 1

REGISTERED PROFESSIONAL ENGINEER NO. 002-052100
PROFESSIONAL DESIGN FIRM NUMBER: 184.001186

EXISTING CANOE
EXISTING CONTOUR
PROPOSED CANOE
PROPOSED CONTOUR
PROPOSED FLOW
SILT FENCE
CONSTRUCTION SAFETY FENCE

100
100

KEY:
B/F - TOP OF FOUNDATION
P.T.F. - PROPOSED TOP OF FOUNDATION

It's smart. It's free. It's the law.

**Call before
you dig**
800.892.0123

**Call
before
You Dig**

800.892.0123

ONE-CALL SYSTEM

PREPARED FOR: ALAN BERGER


ENGINEERING
RESOURCE ASSOCIATES
 3000 W. PLYMOUTH
 SUITE 200
 P.O. BOX 1000
 DENVER, CO 80202
 (303) 733-1100

3701 WEST AVENUE, SUITE 150
HARRISVILLE, ILLINOIS 60568
HOME (630) 393-3060
FAX (630) 393-2152

Sec. 12-206: Definitions:

Lot: See definitions of Lot Of Record and Lot, Zoning. Unless the context indicates otherwise, all references in this code to a "lot" shall be deemed to mean a "zoning lot".

Lot Of Record: A lot that is part of a subdivision, the plat of which has been recorded in the office of the DuPage County recorder of deeds or, if appropriate, the Cook County recorder of deeds, or a parcel of land separately described in a recorded deed.

Lot, Zoning: A tract of land consisting of one or more lots of record, or parts thereof, under single ownership or control, located entirely within a block and occupied by, or designated by its owner or developer at the time of filing for any zoning approval or building permit as a tract to be developed for, a principal building and its accessory buildings, or a principal use, together with such open spaces and yards as are designed and arranged, or required under this code, to be used with such building or use. Notwithstanding the foregoing, sale of individual lots of record underlying individual dwelling units in a townhouse or two-family dwelling, following issuance of a certificate of occupancy for such dwelling, shall not prevent treatment of the tract of land underlying such dwelling as a zoning lot and all applicable bulk, space, and yard requirements shall be applied with respect to such dwelling and such zoning lot rather than with respect to individually owned dwelling units and lots of record.

Nonconforming Lot Of Record: A lot of record that does not comply with the lot requirements for any use permitted in the district in which it is located.

Nonconforming Lot Of Record, Legal: A nonconforming lot of record that:

- A. 1. Was created by a plat or deed recorded at a time when the creation of a lot of such size, shape, depth, and width at such location would not have been prohibited by any ordinance or other regulation; and
2. Is located in a residential district and meets the minimum lot area and lot dimension standards of subsection 10-105A of this code, or is located in a district other than a residential district; and
3. Was vacant on June 18, 1988, or became vacant thereafter by reason of demolition or destruction of a precode structure that is not authorized to be rebuilt or replaced pursuant to subsection 10-104C of this code; or

- B. Was created pursuant to section 3-110 of this code.

Except as authorized pursuant to section 3-110 of this code, a legal nonconforming lot of record cannot be created by the sale or transfer of property that results in the creation of a nonconforming lot of record or that increases the degree of nonconformity of any existing nonconforming lot of record.

Precode Structure: Any building or structure, other than a sign, lawfully existing as of June 18, 1988, or the date of any subsequent amendment to the village's zoning regulations that renders such building or structure nonconforming, that:

A. Does not comply with all of the regulations of this code, or any such amendment to it, governing parking, loading, or bulk and space requirements for the zoning district in which such building or structure is located; or

B. Is located on a lot that does not, or is so located on a lot as not to, comply with the area, dimension, yard, or setback requirements for the zoning district in which such building or structure is located; or

C. Both subsections A and B of this definition; except

D. Any building containing more than one dwelling unit in addition to the number permitted by the district regulations in the district where it is located shall be deemed to be a nonconforming use rather than a precode structure.

HELP



MEMORANDUM

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

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

DATE: November 9, 2021

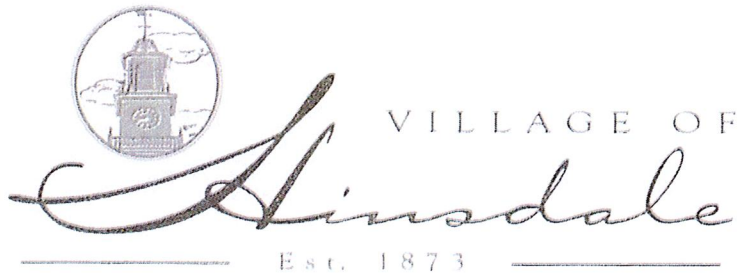
RE: Zoning Variation – V-09-21; 328/332 N. Oak Street

In this application for variation, the applicant requests relief from the Interior Side Yard Setback set forth in section 3-110(D)(2)(b)(i) of the Code in order to consolidate the lot they currently own at 328 N. Oak Street with the property they own next door at 332 N. Oak Street. The specific request is for 6.35' of relief.

The applicant in this case is planning improvements that necessitate consolidation once the house at 332 is demolished. Because the width of the 328 property will increase with the consolidation, the required side yard setbacks increase as well. Although the house is not moving on the 328 lot, the minimum side yard requirement would go to 12.2' based on the increase lot width.

This property is located in the R-4 Single family Residential District in the Village of Hinsdale and is located on the west side of Oak Street between Hampton and Hickory. Upon consolidation, the property will have a frontage of approximately 112', an average depth of approximately 130', and a total square footage of approximately 14,560. The maximum FAR is approximately 4,694 square feet; the maximum allowable building coverage is 25% or approximately 3,640 square feet, and the maximum lot coverage is 50% or 7,280 square feet.

cc: Kathleen Gargano, Village Manager
Zoning file V-09-21



19 E. Chicago Avenue, Hinsdale, IL 60521

APPLICATION FOR VARIATION

COMPLETE APPLICATION CONSISTS OF (10) COPIES

(All materials to be collated)

FILING FEE: \$850.00

Name of Applicant(s): David J, Knecht, Dave Knecht Commercial, LLC

Address of Subject Property: 332 North Oak Street and 328 North Oak Street

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

Owner's General Contractor

FOR OFFICE USE ONLY

Date Received: 11/8/21 CB Zoning Calendar No. V-09-21

PAYMENT INFORMATION: Check # Check Amount \$

SECTION 1- NAME & CONTACT INFORMATION

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

Name: Blake and Katelyn Geoffrion

Address: 328 North Oak Street, Hinsdale, IL 60521

Telephone: 630-742-0919 email: geoffrion28@gmail.com, katelyn@butfirstkoffee.com

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

Name: David J. Knecht, Managing Member of Dave Knecht Commercial, LLC

Address: 15 Spinning Wheel Rd. Ste. 425, Hinsdale, IL 60521

Telephone: 630.537.1023 email: daveknechthomes@gmail.com

3. **Consultants.** Name and contact information (phone or email) of each professional consultant advising applicant with respect to this application:

a. Attorney: _____

b. Engineer: Jon Green, Engineering Resource Associates, jgreen@eraconsultants.com

c. Architect: Erik Johnson, Thacker Development Atelier, erik@thackerdev.com

d. Contractor: Dave Knecht, Dave Knecht Commercial, daveknechthomes@gmail.com

e. Other: _____

4. **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: Not Applicable

Address: _____

Telephone: _____ email: _____

5. **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. Not Applicable

b. _____

SECTION 2- REQUIRED DOCUMENTATION

1. **Subject Property.** Address, PIN Number, and legal description of the subject Property, use separate sheet for legal description, if necessary.
PIN Number: 09-01-408-020 and 09-01-408-019
Address: 328 North Oak Street and 332 North Oak Street
 see attached page for legal descriptions
2. **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.
Please see attached tax bills demonstrating Geoffrion ownership of both lots
3. **Neighboring Owners.** 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.
(Note: 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.)
Attached as received from Downers Grove Township
4. **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.
Attached plats of each as well as topographical showing both properties
5. **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.
Currently zoned R4 and will remain R4; see attached zoning map marked and parcel report page
6. **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.
These lots will remain in conformity with R4 zoning
7. **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. *(Section 4 of this application)*
Please see Section 4 Answers
8. **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. Not applicable

328 NORTH OAK STREET
PPN 09-01-408-020

Legal: LOT 111 IN THOS. S. COUSIN'S
SUBDIVISION, BEING A SUBMISION IN
THE NORTH ½ OF THE SOUTHEAST ¼
OF SECTION 1, TOWNSHIP 38 NORTH,
RANGE 11, EAST OF THE THIRD
PRINCIPAL MERIDIAN, ACORDING TO
THE PLAT THEEOF RECORDED APRIL
12, 1924 AS DOCUMENT 176286

332 NORTH OAK STREET
PPN 09-01-408-019

Legal: LOT 111 IN THOS. S. COUSIN'S
SUBDIVISION, BEING A SUBMISION IN
THE NORTH ½ OF THE SOUTHEAST ¼
OF SECTION 1, TOWNSHIP 38 NORTH,
RANGE 11, EAAST OF THE THIRD
PRINCIPAL MERIDIAN, ACORDING TO
THE PLAT THEEOF RECORDED APRIL
12, 1924 AS DOCUMENT 176286, IN
DUPAGE COUNTY, ILLINOIS

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 1ST INSTALLMENT PAYMENT OF 2020 TAX

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-01-408-019

GEOFFRION, BLAKE & K
332 N OAK ST
HINSDALE IL 60521-3832

1

ON OR BEFORE:	PAY:
JUNE 1, 2021	.00
PAYING LATE?	PAY THIS AMOUNT:

U.S. POSTMARK IS USED TO DETERMINE LATE PENALTY.

PAYMENT OF THIS 2020 TAX BILL AFTER OCTOBER 29, 2021, REQUIRES A CASHIER'S CHECK, CASH OR MONEY ORDER.

☐ CHECK BOX AND COMPLETE CHANGE OF ADDRESS ON BACK.

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 17, 2021

\$3,392.52 PAID MAY 21, 2021

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 2ND INSTALLMENT PAYMENT OF 2020 TAX

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-01-408-019

GEOFFRION, BLAKE & K
332 N OAK ST
HINSDALE IL 60521-3832

2

ON OR BEFORE:	PAY:
SEP 1, 2021	.00
PAYING LATE?	PAY THIS AMOUNT:

U.S. POSTMARK IS USED TO DETERMINE LATE PENALTY.

PAYMENT OF THIS 2020 TAX BILL AFTER OCTOBER 29, 2021, REQUIRES A CASHIER'S CHECK, CASH OR MONEY ORDER.

☐ CHECK BOX AND COMPLETE CHANGE OF ADDRESS ON BACK.

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 17, 2021

\$3,392.52 PAID SEPT 08, 2021

Rate 2019	Tax 2019	Taxing District	Rate 2020	Tax 2020
** COUNTY **				
.1002	127.51	COUNTY OF DU PAGE	.0975	129.77
.0209	26.59	PENSION FUND	.0202	26.88
.0331	42.12	COUNTY HEALTH DEPT	.0308	40.99
.0113	14.38	PENSION FUND	.0124	16.50
.1141	145.20	FOREST PRESERVE DIST	.1128	150.13
.0101	12.85	PENSION FUND	.0077	10.24
.0141	17.94	DU PAGE AIRPORT AUTH	.0148	19.69
** LOCAL **				
NO LEVY		DU PAGE WATER COM	NO LEVY	
.0301	38.30	DOWNERS GROVE TWP	.0304	40.46
.0010	1.27	PENSION FUND	.0005	.66
.0496	63.12	DOWNERS GR TWP RD	.0496	66.01
.0014	1.78	PENSION FUND	.0011	1.46
.2816	358.36	VLG OF HINSDALE	.2828	376.40
.0908	115.55	PENSION FUND	.0882	117.39
.1518	193.18	VLG HINSDALE LIBRARY	.1480	196.98
.0079	10.05	PENSION FUND	.0112	14.90
NO LEVY		FLAGG CRK WATER REC	NO LEVY	
** EDUCATION **				
2.5076	3,191.17	GRADE SCHL DIST 181	2.3207	3,088.85
.0720	91.62	PENSION FUND	.0434	57.76
1.5635	1,989.71	HIGH SCHOOL DIST 86	1.5668	2,085.41
.0475	60.44	PENSION FUND	.0474	63.08
.2112	268.84	COLLEGE DU PAGE 502	.2114	281.48
5.3198	6,769.98	TOTAL	5.0977	6,785.04

Mailed to:
GEOFFRION, BLAKE & K
332 N OAK ST
HINSDALE IL 60521-3832
Property Location:
332 N OAK ST
HINSDALE, 60521
Township Assessor:
DOWNERS GROVE
630-719-6630
Tax Code:
9059
Property Index Number:
09-01-408-019

TIF Frozen Value	
Fair Cash Value	432,300
Land Value	83,630
+ Building Value	60,470
= Assessed Value	144,100*
x State Multiplier	1.0000
= Equalized Value	144,100
- Residential Exemption	6,000
- Senior Exemption	5,000
- Senior Freeze	
- Disabled Veteran	
- Disability Exemption	
- Returning Veteran Exemption	
- Home Improvement Exemption	
- Housing Abatement	
= Net Taxable Value	133,100
x Tax Rate	5.0977
= Total Tax Due	6,785.04
- Less Advance Payment	
= Net Tax Due	.00
+ PACE Reimbursement	
= Not Due	

CHANGE OF NAME/ADDRESS:
CALL: 630-407-5900

* S OF A FACTOR 1.0422
1st INST PAID MAY 21, 2021
2nd INST PAID SEPT 08, 2021



2020 DuPage County Real Estate Tax Bill
Gwen Henry, CPA, County Collector
421 N. County Farm Road
Wheaton, IL 60187

Office Hours - 8:00 am-4:30 pm, Mon-Fri
Telephone - (630) 407-5900

2019 \$138,260 Assessed Value 2020 \$144,100

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 1ST INSTALLMENT PAYMENT OF **2020 TAX**

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-01-408-020

GEOFFRION, BLAKE & KATELYN
328 N OAK ST
HINSDALE IL 60521

1

ON OR BEFORE:	PAY:
JUNE 1, 2021	.00
PAYING LATE?	PAY THIS AMOUNT:

U.S. POSTMARK IS USED TO DETERMINE LATE PENALTY.

PAYMENT OF THIS 2020 TAX BILL AFTER OCTOBER 29, 2021, REQUIRES A CASHIER'S CHECK, CASH OR MONEY ORDER.

☐ CHECK BOX AND COMPLETE CHANGE OF ADDRESS ON BACK.

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 17, 2021

\$6,765.42 PAID MAY 27, 2021

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 2ND INSTALLMENT PAYMENT OF **2020 TAX**

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-01-408-020

GEOFFRION, BLAKE & KATELYN
328 N OAK ST
HINSDALE IL 60521

2

ON OR BEFORE:	PAY:
SEP 1, 2021	.00
PAYING LATE?	PAY THIS AMOUNT:

U.S. POSTMARK IS USED TO DETERMINE LATE PENALTY.

PAYMENT OF THIS 2020 TAX BILL AFTER OCTOBER 29, 2021, REQUIRES A CASHIER'S CHECK, CASH OR MONEY ORDER.

☐ CHECK BOX AND COMPLETE CHANGE OF ADDRESS ON BACK.

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 17, 2021

\$6,765.42 PAID AUG 24, 2021

Rate 2019	Tax 2019	Taxing District	Rate 2020	Tax 2020
** COUNTY **				
.1002	254.94	COUNTY OF DU PAGE	.0975	250.79
.0209	53.17	PENSION FUND	.0202	53.61
.0331	84.21	COUNTY HEALTH DEPT	.0308	81.75
.0113	28.75	PENSION FUND	.0124	32.91
.1141	290.31	FOREST PRESERVE DIST	.1126	299.40
.0101	25.69	PENSION FUND	.0077	20.43
.0141	35.87	DU PAGE AIRPORT AUTH	.0148	39.28
** LOCAL **				
NO LEVY		DU PAGE WATER COM	NO LEVY	
.0301	76.58	DOWNERS GROVE TWP	.0304	80.69
.0010	2.54	PENSION FUND	.0005	1.32
.0496	126.20	DOWNERS GR TWP RD	.0496	131.65
.0014	3.56	PENSION FUND	.0011	2.91
.2816	716.50	VLG OF HINSDALE	.2828	750.63
.0908	231.03	PENSION FUND	.0882	234.10
.1518	386.23	VLG HINSDALE LIBRARY	.1480	392.83
.0079	20.10	PENSION FUND	.0112	29.72
NO LEVY		FLAGG CRK WATER REC	NO LEVY	
** EDUCATION **				
2.5076	6,380.33	GRADE SCHL DIST 181	2.3207	6,159.83
.0720	183.19	PENSION FUND	.0434	115.19
1.5635	3,978.16	HIGH SCHOOL DIST 86	1.5668	4,158.75
.0475	120.85	PENSION FUND	.0474	125.81
.2112	537.49	COLLEGE DU PAGE 502	.2114	561.24
5.3198	13,535.70	TOTAL	5.0977	13,530.84

Mailed to:
GEOFFRION, BLAKE & KATELYN
328 N OAK ST
HINSDALE IL 60521
Property Location:
328 N OAK ST
HINSDALE, 60521
Township Assessor:
DOWNERS GROVE
630-719-6630
Tax Code:
9059
Property Index Number:
09-01-408-020

TIF Frozen Value	
Fair Cash Value	814,400
Land Value	83,630
+ Building Value	187,800
= Assessed Value	271,430*
x State Multiplier	1.0000
= Equalized Value	271,430
- Residential Exemption	6,000
- Senior Exemption	
- Senior Freeze	
- Disabled Veteran	
- Disability Exemption	
- Returning Veteran Exemption	
- Home Improvement Exemption	
- Housing Abatement	
= Net Taxable Value	265,430
x Tax Rate	5.0977
= Total Tax Due	13,530.84
- Less Advance Payment	
= Net Tax Due	.00
+ PACE Reimbursement	
= Net Due	

CHANGE OF NAME/ADDRESS:
CALL: 630-407-5900

* S OF A FACTOR 1.0422

1st INST PAID MAY 27, 2021

2nd INST PAID AUG 24, 2021



2020 DuPage County Real Estate Tax Bill
Gwen Henry, CPA, County Collector
421 N. County Farm Road
Wheaton, IL 60187

Office Hours - 8:00 am-4:30 pm, Mon-Fri
Telephone - (630) 407-5900

2019 \$260,440 Assessed Value 2020 \$271,430



KABAL SURVEYING COMPANY

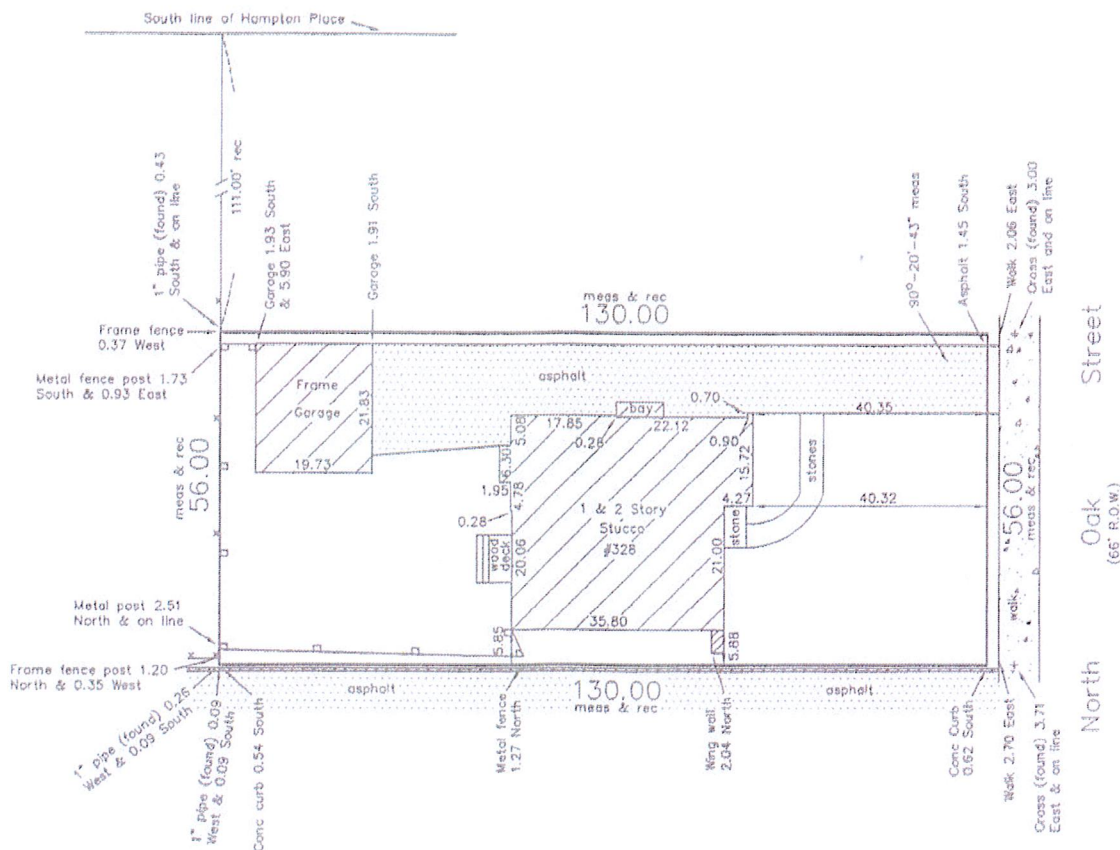
Land Surveying Services

Plat of Survey

Lot 111 in Thos. S. Cousins' Subdivision, being a Subdivision in the North 1/2 of the Southeast 1/4 of Section 1, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded April 12, 1924 as Document 176286, in DuPage County, Illinois.

Address: 328 North Oak Street, Hinsdale

2411 Hawthorne Avenue
Westchester, Illinois 60154
(708) 562-2652
Fax (708) 562-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061



LEGEND

R.O.W. = right-of-way, E = East
rec = record, N = North, W = West
meas = measured, S = South
pch = porch, rad = radius
prc = point of reverse curve
conc = concrete, pc = point of curve

Area of property is approximately 7,280 square feet

☒ "X" in box indicates that hereon drawn plat was ordered as a non-monumented survey

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed December 4, 2018
Building Located December 4, 2018

Scale: 1 inch =	20	ft.
Order No.	181239	
Ordered By:	The Fry Group, LLC.	



This professional service conforms to the current Illinois minimum standards for a boundary survey

STATE OF ILLINOIS }
COUNTY OF COOK } **

I, MITCHELL P. BALEK, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Mitchell P. BALEK

Illinois Professional Land Surveyor No. 035-003250
My license expires on November 30, 2020

ORIGINAL SEAL IN RED



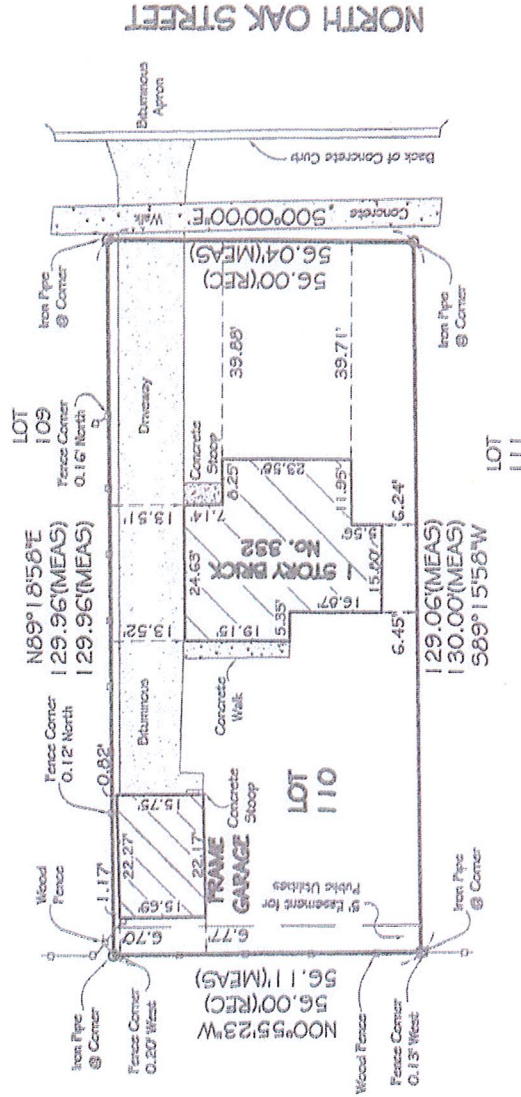
PLAT OF SURVEY

By
JOHN D. REBIG & ASSOCIATES
Land and Construction Surveys

35 W 368 Miller Road
Dundee, Illinois 60118 (847) 428-3456



LOT 110 IN THOS. S. COUSINS' SUBDIVISION, BEING A SUBDIVISION IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 12, 1924 AS DOCUMENT 176286, IN DUPAGE COUNTY, ILLINOIS.



Scale: 1 inch equals 20 feet.
Distances are marked in feet and decimal parts thereof.

Ordered by: **CASTLEBROOK LAW, P.C.**

Checked by: **J.D.R.** Surveyed by: **D.S.R.**
Surveyor has made no investigation or independent search for encumbrances of record, encumbrances, restrictive covenants, ownership title evidence or any other facts which an accurate and current title search may disclose, unless the title commitment number and effective date are shown hereon.

Building lines, if any, shown hereon are building lines shown on the recorded subdivision plat. Consult local authorities for building lines established by local ordinances.

Please check legal description with Deed; also compare all points before building and report ANY DISCREPANCY IMMEDIATELY.

ORDER NO. **21-4610.110**

STATE OF ILLINOIS) S.S. May 27, 2021.
COUNTY OF FANE)

This Professional Service conforms to the current Illinois Minimum Standards of Practice applicable to Boundary Surveys.

The location and/or existence of utility service lines to the property surveyed are not shown.

This is to certify that I have surveyed the above described property according to the Official Record, and the above plat correctly represents said survey.

[Signature]

by

Illinois Professional Land Surveyor No. 24289
(License Expires November 30, 2022)

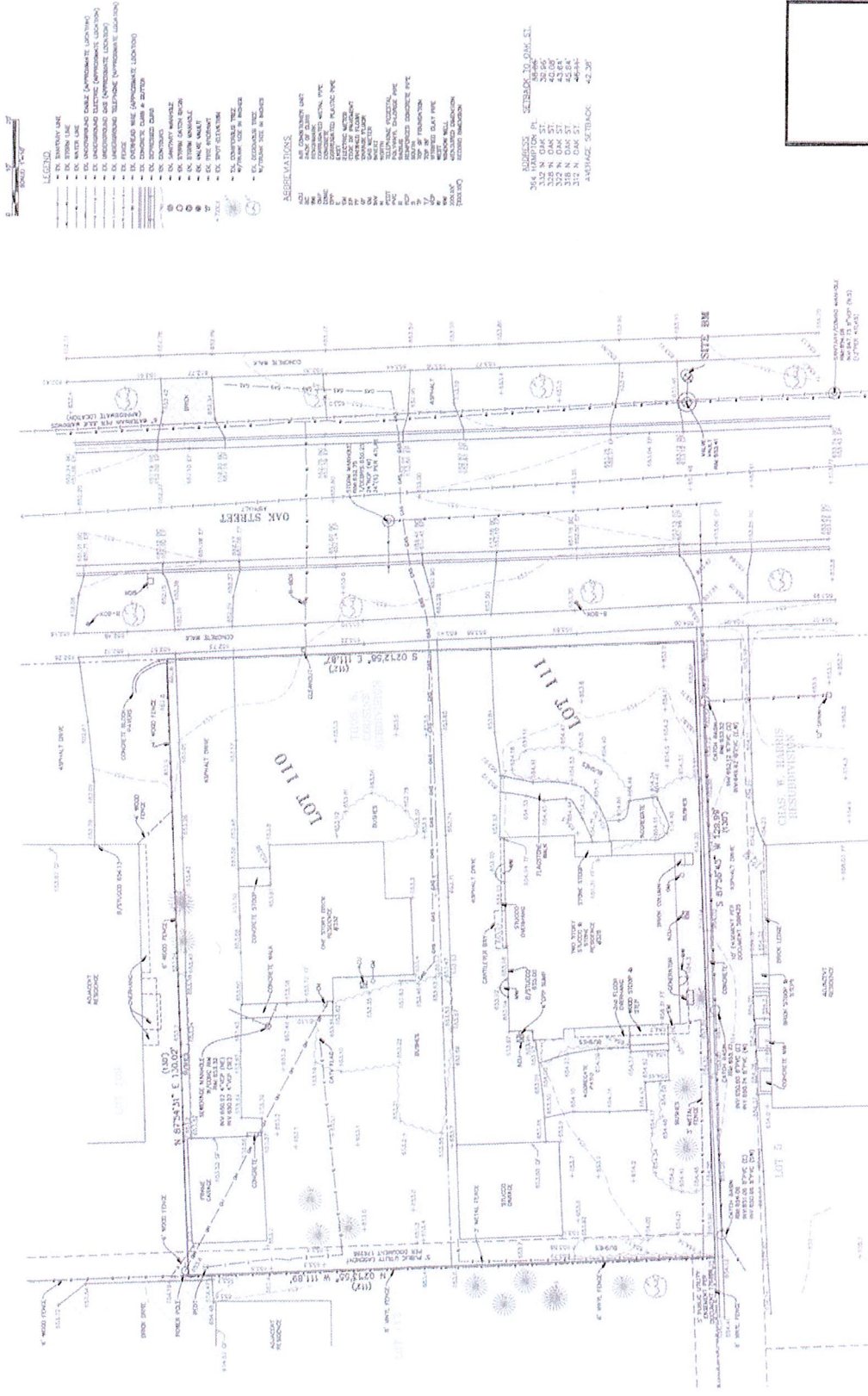


TOPOGRAPHICAL SITE DEVELOPMENT PLAN

LOT 111 AND 112 IN TOWN 5, COUNTY OF HARRIS, BEING A SUBDIVISION OF THE UNDIVIDED ESTATE OF
 SECTION 1, TOWNSHIP 20 NORTH, RANGE 17 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED
 APRIL 12, 1954 AS DOCUMENT 17639, IN HARRIS COUNTY, TEXAS

P.L. 17639-429-429 AND 04-01-408-420

COMMUNITY ZONING 45, 332 AND 320 N. ONE STREET, HARRIS COUNTY, TEXAS



John P. Dwyer, P.E.
 L.P.E. NO. 002-02708
 Expires November 30, 2021

REMOVED: NOVEMBER 1, 2021
 SITE PLAN DATED: SEPTEMBER 22, 2023
 SHEET 1 OF 1

PROFESSIONAL DESIGN FIRM NUMBER: 184-00186

31101 WEST AUSTIN, SUITE 240
 DALLAS, TEXAS 75244
 PHONE: (214) 734-4444
 FAX: (214) 734-4444

ENGINEERING
 RESOURCE ASSOCIATES
 424 (214) 334-4110

31101 WEST AUSTIN, SUITE 240
 DALLAS, TEXAS 75244
 PHONE: (214) 734-4444
 FAX: (214) 734-4444

31101 WEST AUSTIN, SUITE 240
 DALLAS, TEXAS 75244
 PHONE: (214) 734-4444
 FAX: (214) 734-4444



from Hinsdale
Zoning Map

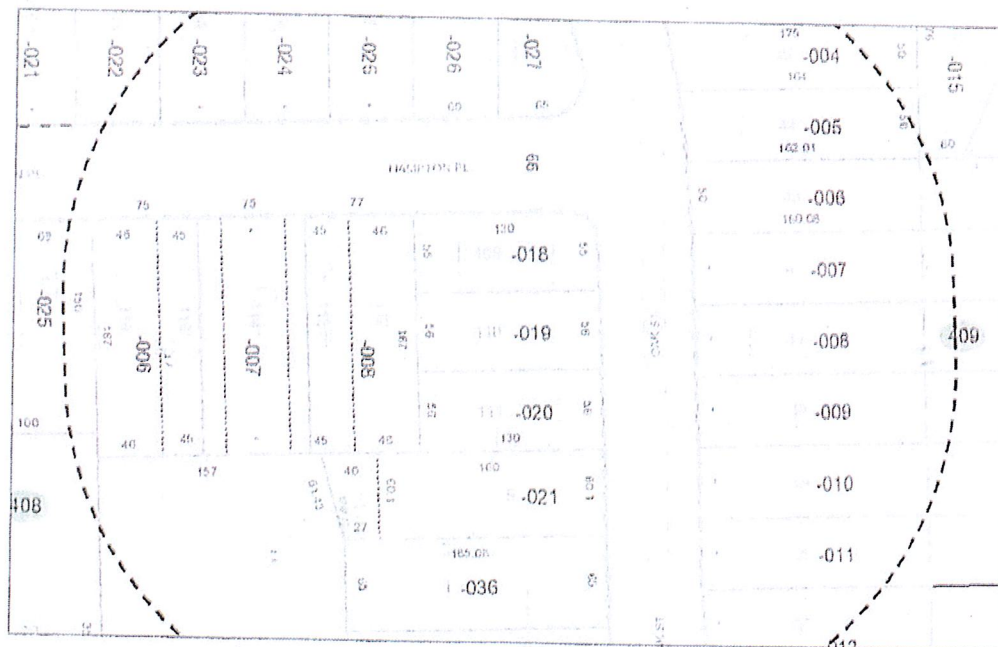
09-01-408-019 33d N Oak



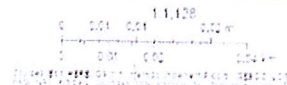
DuPage County IT-GIS Department
421 N. County Farm Rd.
Wheaton IL 60817
PH# (630) 407-5000

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.dupagecount.org



--- polygonLayer polygonLayer
--- Subdivision Lot Lines
--- Parcel Blocks
--- Cadastral Real Estate



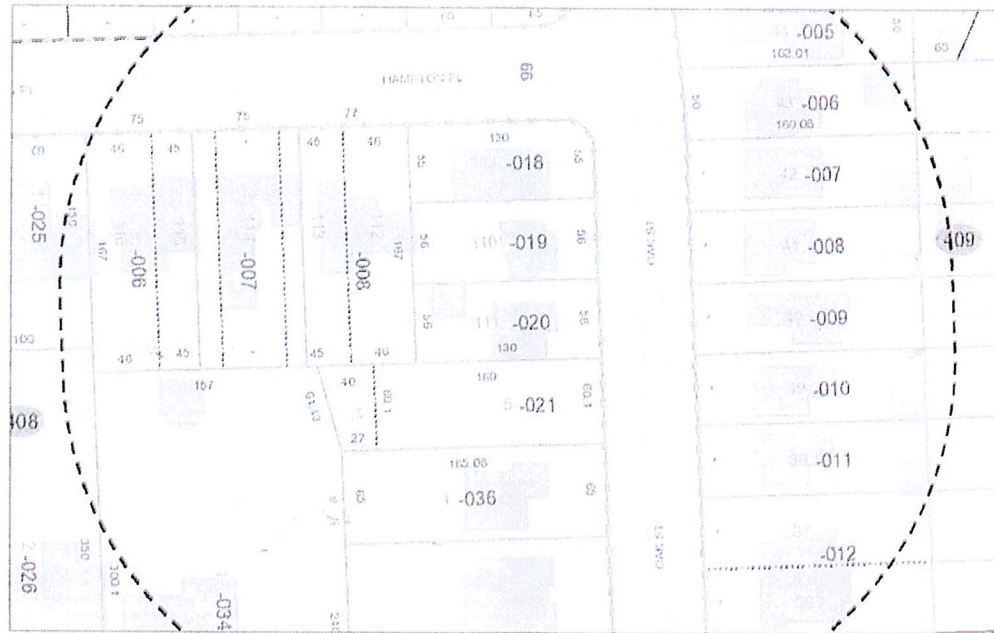
09-01-402-020-338780A1



DuPage County IT-GIS Department
533 N. County Farm Rd.
Wheaton IL 60157
Ph# (630) 407-5999

Dupage County Parcel Report

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



polygonLayer polygonLayer
 Subdivision Lot Lines Parcel Blocks
 Cadestral Real Estate

11.128
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SECTION 3- ZONING RELIEF REQUESTED

1. **Ordinance Provision.** The specific provisions of the Zoning Ordinance from which a variation is sought: *(Attach separate sheet if additional space is needed.)*

The specific provision of Zoning Ordinance from which we seek variation is the minimum
side yard setback per Code Section 3-110D(2)(b)(i)

2. **Variation Sought.** The precise variation being sought, the purpose therefore, 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.)*

* Owner wishes to demolish the outdated structure at 332 North Oak, then consolidate that lot with their current residential lot of 328 North Oak. The Geoffrions are working on plans for an addition to their home which will traverse both lots.

* Each lot has a recorded measurement of 56.0', the new consolidated/functional lot width would be 112.0' and would require - per current regulations, a minimum side yard setback of 12.2'.

* The Geoffrion's current home at 328 North Oak, the remaining structure on site, has an interior side yard setback of 5.85'.

* We are therefore requesting a reduction for the interior side yard setback per Zoning Code 3-110D(2)(b)(i).

3. **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.)*

We are requesting a reduction of 6.35' of the required 12.2' per current Zoning Section 3-110D(2)(b)(i), thereby matching the existing 5.85' sideyard of the

Geoffrion's current home at 328 North Oak Street.

It is our understanding that similar requests have been recently heard

and approved by the ZBA.

SECTION 4 - STANDARDS FOR VARIATION

a. Unique physical condition – both 332 North Oak and 328 North Oak currently comply with all zoning and regulations. As zoning and side yard setbacks have changed over the years since these homes were built, the consolidation of these lots will require difficulty in meeting the modern/current side yard regulations.

b. Not self-created – Mr. and Mrs. Geoffrion purchased both lots, that to their knowledge, met all zoning regulations. With their growing family and desire to keep their family in Hinsdale, they realized they needed an addition to their current residence of 328 North Oak. Owners purchased these lots in good faith that they were meeting all regulations. Only when starting to work towards this addition did the current side yard regulation come into play.

c. Denied substantial rights – the Geoffrions are already in possession and titled to both lots. They merely wish enough space via an addition, for their family to enjoy and live in Hinsdale, just as many others do.

d. Not merely special privilege – the Geoffrions do not seek special privilege in asking for this variation, just the ability to put an addition on their home for their growing family.

e. Code and plan purposes – the Geoffrions wish to keep the neighborhood and residential use of their property intact, and feel that with this variation, consolidation, and addition to their home, they will only enhance the neighborhood.

f. Essential character of the area – this variation:

- (1) Will not 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) will not materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or

- (3) will not increase congestion in the public streets due to traffic or parking; or

- (4) will not unduly increase the danger of floor or fire; or

- (5) will not unduly tax public utilities and facilities in the area; or

- (6) will not endanger the public health or safety

g. No other remedy – Without the consolidation of the lots and reduction of the side yard allowance on the current residential structure to remain, there is no other means by which the alleged hardship/difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the current residence for the Geoffrion family

**SECTION 4- STANDARDS FOR VARIATION
AS SET FORTH IN SECTION 11-503(F)**

(Fence Applications – Section 5)

Provide an explanation of the characteristics of the Subject Property that prevent compliance with the provisions of the Zoning Ordinance, and the specific facts you believe support the granting of the requested variation(s). In addition to your general explanation, you must specifically address each of the following conditions required for approval by the Zoning Board of Appeals. Attach a separate sheet of paper to your application marked Section 4 – Standards for Variation.

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

- (f) **Essential Character of the Area.** The variation would not result in a use or development of the Subject Property that:
- (1) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use development, or value of property of improvements permitted in the vicinity; or
 - (2) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
 - (3) Would substantially increase congestion in the public streets due to traffic or parking; or
 - (4) Would unduly increase the danger of flood or fire; or
 - (5) Would unduly tax public utilities and facilities in the area; or
 - (6) Would endanger the public health or safety.
- (g) **No Other Remedy.** There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Subject Project.

**SECTION 5- STANDARDS FOR VARIATION – FENCES
AS SET FORTH IN SECTION 9-12-3(J)**

NOT APPLICABLE

You must specifically address each of the following conditions required for approval of a fence by the Zoning Board of Appeals. Attach a separate sheet of paper to your application marked Section 5 – Standards for Variation - Fences.

- (a) Applicant is affected by unique circumstances which create a hardship justifying relief.
- (b) Will not alter the essential character of the locality.
- (c) Will be in harmony with the general purpose and intent of the code.
- (d) Will set no unfavorable precedent either to the locality or to the Village as a whole.
- (e) Will be the minimum necessary to afford relief to the applicant.
- (f) Will not adversely affect the public safety and general welfare.

**SECTION 6- SUBJECT PROPERTY ARCHITECTURAL
DRAWINGS/SURVEYS**

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. If applicable, include any grading changes being proposed.

PLEASE SEE ATTACHED PLATS AND SURVEYS; Geoffrions are currently working on house plans

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.

SECTION 7- EXPLANATION OF FEES & APPLICANT SIGNATURE

1. Application Fee and Escrow. Every application must be accompanied by a non-refundable application fee of \$250.00 plus an additional \$600.00 initial escrow amount. The applicant must also pay the costs of the court reporter's transcription fees and legal notices for the variation request. A separate invoice will be sent if these expenses are not covered by the escrow that was paid with the original application fees.
2. Additional Escrow Requests. Should the Village Manager at any time determine that the escrow account established in connection with any application is, or is likely to become, insufficient to pay the actual costs of processing such application, the Village Manager shall inform the Applicant of that fact and demand an additional deposit in an amount deemed by him to be sufficient to cover foreseeable additional costs. Unless and until such additional amount is deposited by the Applicant, the Village Manager may direct that processing of the application shall be suspended or terminated.
3. Establishment of Lien. The owner of the Subject Property, and if different, the Applicant, are jointly and severally liable for the payment of the application fee. By signing the application, the owner has agreed to pay said fee, and to consent to the filing and foreclosure of a lien against the Subject Property for the fee plus costs of collection, if the account is not settled within 30 days after the mailing of a demand for payment.

By signing below, the owner or their authorized representative, 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 Applicant(s):

David J Knecht

Signature of Applicant:

David J Knecht

Signature of Applicant:

Monterio Beavergal

Date:

11-08-21

Dave Knecht Commercial LLC

ADDENDUM – RULES FOR WRITTEN SUBMISSIONS AND ORAL ARGUMENT

The Hinsdale Zoning Board of Appeals (ZBA) unanimously approved and adopted the following rules governing written submissions and oral arguments on November 15, 2017:

1. No party is required to submit legal briefs or letters to the ZBA in support of any zoning appeal or variance request. The only documents that any appellant or zoning variance applicant must submit are the appeal forms and/or variance request forms and accompanying materials already required under the Hinsdale Zoning Code. The party that filed the appeal or the variance request need not retain counsel to represent them, but they may do so if they wish.
2. If any party wishes to submit a separate legal brief or letter detailing the reasons why the ZBA should grant such appeal or variance request, then such party shall deliver to the Zoning Board of Appeals at Hinsdale Village Hall, 19 E. Chicago Avenue, ten (10) signed copies of such briefs or letters at least 14 days before the ZBA meeting when the ZBA will hold the hearing, the appeal, or the variance application.
3. Within seven days thereafter, the Village of Hinsdale may, but is not required, to file a brief or letter in response to any brief or letter that any other party has filed. Any such letter or brief that the Village may file in response shall conform to all of the requirements established in these rules.
4. Any brief or letter submitted in support of or in response to any such letter or brief must be on 8-1/2" by 11" paper. The text must be double-spaced, but quotations more than two lines long may be indented and single-spaced. The type face must be 14 point type or larger. A one inch margin is required at the top, bottom, and each side of each page. Each page must have a page number at the bottom.
5. No such briefs or letters shall exceed 12 pages unless the ZBA grants a party's request for an extension of that page limit. Footnotes are discouraged.
6. If any such letter or brief cites to any legal authority, then the letter or brief must contain an index indicating each page number of the letter or brief which cites to that legal authority.
7. If any such brief or letter refers to any other documents, then all such documents must be attached as exhibits. Every such exhibit attached to the brief or letter must be identified with an exhibit number, and must be preceded by a numbered tab corresponding with the exhibit number that protrudes on the right hand side of such brief or letter. All such exhibits must be legible.

8. Any such brief or letter containing less than 20 pages of text and exhibits combined must be firmly stapled in the upper left hand corner of the brief or letter. Briefs or letters that contain more than 20 pages of combined text and exhibits must be spiral bound on the left hand side in a manner that does not interfere with the legibility of any such text or exhibits.
9. If any such brief or letter cites any code section, ordinance, statute, or court decision, then such legal authority must be attached in its entirety as an exhibit to the brief or letter, and the exhibit number must be included in the index required under paragraph 6.
10. The ZBA will not consider briefs or letters that do not meet all of these requirements.
11. At the hearing on any such appeal or variance request, the party that filed the appeal or the variance request has a maximum of 15 minutes to present their initial arguments regarding why the ZBA should grant such appeal or variance request; the Village may then have a maximum of 15 minutes to respond; and the party that filed the appeal or variance request may then have five minutes to reply. These time limits may be extended by a maximum of five minutes per side in the ZBA's discretion. These time limits apply only to oral argument by a party to the ZBA regarding whether the facts support a conclusion that the ZBA should grant the appeal or variance request under the applicable zoning standards, but not to any witness testimony that any party may wish to present.
12. Any non-party to any such appeal or variance request who wishes to address the ZBA at the hearing on any such appeal or variance request, may have a maximum of five minutes to address the ZBA regarding whether the ZBA should grant the appeal or variance request.

Adopted by the Zoning Board of Appeals on November 15, 2017.