



MEETING AGENDA

ZONING BOARD OF APPEALS

WEDNESDAY, April 20, 2022

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) February 16, 2022
4. APPROVAL OF FINAL DECISIONS OR FINDINGS OF FACT
5. RECEIPT OF APPEARANCES
6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO MAKE PUBLIC COMMENT OF A GENERAL NATURE
7. PRE-HEARING AND AGENDA SETTING
 - a) V-03-22, 933 South Grant Street
8. PUBLIC HEARING
 - a) V-01-22, 527 – 541 Kensington Court Subdivision
 - b) V-02-22, 307 South Lincoln 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
FEBRUARY 16, 2022**

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, February 16, 2022 at 6:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. ROLL CALL

Present: Members Gary Moberly, Joseph Alesia, Keith Giltner (*present by phone*), Tom Murphy, Leslie Lee, John Podliska, and Chairman Bob Neiman

Absent: None

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

3. APPROVAL OF MINUTES

a) January 19, 2022

Following changes or corrections to the draft minutes, Member Podliska **moved to approve the draft minutes of January 19, 2022, as amended.** Member Murphy seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

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

5. RECEIPT OF APPEARANCES – None

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-01-22, 527 – 541 Kensington Court Subdivision

Mr. Dave Hellyer, Jay Jordon Homes, addressed the Board explaining they are requesting a variance to install 4' foot solid fencing in the corner yard setbacks of Lot 2 and Lot 9 of the Kensington Court Subdivision. This will provide screening from the Hinsdale Orthopedics parking lot, and relief from site distance triangles. Chairman Neiman asked that the applicant provide more

1 detail with respect to the approving criteria for the public hearing. Mr. Hellyer
2 explained their goal is to create a private community with secure access,
3 although there will not be fencing around the entire perimeter of the subdivision.
4 Director of Community Development Robb McGinnis reminded the Board if the
5 ZBA approves the height and corner side yard setback relief, the matter would
6 go to the Village Board for major site plan review. Mr. Hellyer said they are still
7 working on the architectural, and will have them for the public hearing.
8 The public hearing was set for the next meeting of the Zoning Board of Appeals
9 on March 16.

10
11 **b) APP-01-22, 110 East Ogden Avenue**

12 Chairman Neiman asked the homeowners, the 110 E. Ogden representatives
13 and the Village Attorney to approach the podium. Mr. Jared Staver introduced
14 himself and his wife Kelly and explained that they and Michael and Alice Kuhn,
15 who are unable to attend the meeting, are the homeowners who have filed the
16 appeal. Mr. Patrick Walsh, is the attorney representing Dr. Cara Hartman, the
17 owner of 110 E. Ogden Avenue. Mr. Michael Marrs is the Village Attorney.
18 Chairman Neiman began stating there some initial questions to clarify. He
19 asked Mr. Walsh why the trees were removed, and whose side of the property
20 line were they on. Mr. Walsh said the trees were on his client's property. This
21 has been confirmed by the Village. They put the trees that were requested in
22 early as a gesture of good faith. He does not believe they needed a permit to
23 remove the trees. Chairman Neiman understands that the homeowners are
24 angry. They bought their houses with the trees, and the commercial building
25 at 110 East Ogden Avenue was a one-story building. He suggested that the
26 trees that have been installed do not meet the site plan specifications. Mr.
27 Walsh said the new trees were planted according to the specifications. He
28 believes ComEd will kill the trees anyway because of the easement. Further,
29 the deciduous trees that were there on his client's property did not provide
30 much screening. Discussion followed regarding the level of screening provided
31 by the deciduous trees that were there.

32 Chairman Neiman asked if Mr. Walsh is prepared to work with the homeowners
33 in the spring to plant more trees to provide more screening. He also pointed
34 out that some accommodation to the homeowners would be better than
35 litigation. Mr. Walsh alluded to the conduct of the homeowners, to which
36 Chairman Neiman stated he understands there has been conflict; however,
37 despite all the hard feelings on both sides, some kind of resolution would be in
38 everyone's best interest as both parties have risk. Mr. Walsh said he is always
39 willing to talk and listen.

40 Member Podliska asked about the utility easement. Mr. Mike Zalud, contractor
41 for 110 E. Ogden, explained that ComEd has provided a diagram that illustrates
42 that the power lines will be over the entire south property line, and that they
43 would trim any trees in this location down to 10-15' feet. Therefore, an arborist
44 was hired to identify the trees. These trees were never part of the landscape
45 plan approved by the Plan Commission. Seven new trees were planted
46 according to the plan that will grow to the bottom of the ComEd wires. His
47 arborist identified some of the existing trees as weeds and poison ivy. The one

1 significant tree would have been topped off at 15' feet by ComEd. He was
2 unable to estimate when the new arborvitae would reach their 15' foot height.
3 Mr. Zalud confirmed that the residents received notice of the Plan Commission
4 meetings and that the site plan was available to them.
5

6 Mr. Jared and Ms. Kelly Staver approached the podium to address the Board.
7 Chairman Neiman began by saying Board members have read the appeal, and
8 that the appeal says there are ongoing violations with respect to the three
9 matters that are being appealed, and that is why the Stavers do not think there
10 is a timeliness issue. Chairman Neiman believes there is some support in the
11 code for this position, but there is some risk. He referenced Section 11-
12 502(D)(1) that requires an appeal to be filed "not later than 45 days following
13 the actions appealed from", but also noted Section 11-502(C) that states "an
14 application for appeal to the zoning board of appeals may be filed by any person
15 aggrieved or adversely affected by an order, decision, determination, or failure to act
16 of the village manager acting pursuant to his or her authority and duties under this
17 code". Chairman Neiman suggested to the Stavers that they be prepared to address
18 why they waited until January to file their appeal. Chairman Neiman referenced
19 Section 11- 502(B) that states "the appeal procedure is provided as a safeguard
20 against arbitrary, ill considered, or erroneous administrative decisions. It is intended
21 to avoid the need for resort to legal action by establishing local procedures to review
22 and correct administrative errors. It is not, however, intended as a means to subvert
23 the clear purposes, meanings, or intents of this code or the rightful authority of the
24 village manager to enforce the requirements of this code. To these ends, the
25 reviewing body should give all proper deference to the spirit and intent embodied in
26 the language of this code and to the reasonable interpretations of that language by
27 those charged with the administration of this code". Therefore, if the Village Manager
28 had a reasonable rationale for her decision, the ZBA is required to give deference.
29 The Village Manager concluded the appeal was untimely. Mr. Staver pointed out
30 that, pursuant to the appeal, Ms. Gargano stayed all landscaping activity on the south
31 lot line. However, he believes the code is clear that all proceedings should be stayed.
32 Discussion of the timeliness issue followed. Chairman Neiman referenced Section
33 11-503(E), stating he disagrees with the position of the Village and the Stavers with
34 respect to what constitutes proceedings.

35 Mr. Staver addressed the property line issue and stated their position on the
36 location of the trees and the fence, and that they never thought anyone would
37 come on their property and take down their trees. They tried mediation from
38 August, when the trees were removed, to November, and at that point they
39 evaluated their options. The appeal was filed as timely as possible.

40 Member Moberly asked the Stavers how the stay would help them. Mr. Staver
41 said he wants the code followed, and that it might bring everyone to the table.
42 He said all they ever wanted was to mediate, and for the 110 Ogden people to
43 make it right, but they refused to come to the table.

44 Member Podliska suggested all parties look at the pool screening at Garfield
45 and Minneola as an example of adequate screening. Mr. Staver said he is
46 familiar with this screening, and agreed it would be acceptable.
47

1 Mr. Walsh then said there is a lot of inaccuracy in the representations that have
2 been made. Mr. Walsh and Mr. Staver disagreed as to whether there have
3 been efforts on both sides to mediate this matter.

4 Chairman Neiman said an important point is the property line. This issue could
5 be litigated in Wheaton for a couple of years, but it will cost less to plant more
6 arborvitae to settle than to fight it out in court.

7 Dr. Cara Hartman, owner of 110 E. Ogden Avenue, addressed the Board, she
8 said to provide a different perspective. She said that when this incident
9 happened, emails from the Stavers were perceived by her as threatening to her
10 brand, her practice. She said Mrs. Staver came unannounced to her practice
11 in the middle of day to discuss this. This could have been an amicable gesture,
12 but she was uncomfortable with the arrival of Mrs. Staver. This is what
13 precipitated the involvement of their attorney. However, they have been, and
14 are willing, to work this out, despite a lot of miscommunication. Member
15 Moberly pointed out that given the amount of money being spent on this project,
16 why fight about the cost of additional landscaping. Dr. Hartman said they are
17 abiding by a site plan that was approved, and budgeted. Their survey was
18 taken in 2021 by professionals, and they don't feel they did anything wrong.
19 Mrs. Staver responded defending her visit to Dr. Hartman's practice.

20 Village Attorney Michael Marrs addressed the Board. Chairman Neiman asked
21 if he knows which side of the lot line the trees were on. Mr. Marrs said no, and
22 explained that the Village is asked to intervene on neighbor disputes all the
23 time. When Mr. Staver first reached out to the Village after the trees were
24 removed, we did look into it. The Village spent significant time and resources
25 to reach a resolution. A number of staff went out to the property at different
26 times. Ultimately, the Village cannot resolve this issue as it is a private property
27 boundary dispute. On November 5, 2021, the Village sent a letter to the Stavers
28 explaining this position. The Stavers had the contractors insurance and could
29 pursue a claim. Mr. Staver cited the Wrongful Tree Cutting Act. Mr. Marrs said
30 they could go ahead with that, but November 5 was the end of Village
31 mediation. The new trees were planted on November 3, hence the question of
32 timeliness. Mr. Marrs noted, in fairness to the Stavers, that there is some
33 question as to whether it was contemplated that the trees would remain. This
34 was confirmed by Director of Community Development Robb McGinnis, who
35 explained the approved site plan does not indicate existing trees, as would be
36 typical if significant trees were to remain. The Village has not inspected or
37 approved the installed landscaping.

38 With respect to the landmark tree issue, Mr. Marrs said this is outside ZBA
39 jurisdiction, and requests it be stricken.

40 Mr. Marrs described the timeline, stating that upon receipt of the appeal, the
41 landscaping was stopped the next day. There are no allegations regarding
42 construction. He pointed out this is consistent with how Land Rover was
43 handled when that appeal came in.

44 Chairman Neiman reminded the parties of the ZBA rules with respect to page
45 limits of briefs and length of oral arguments. The ZBA has discretion to
46 disregard the time limits, and parties should be prepared to address the issues.

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

on March 16.

8. PUBLIC HEARING – None

9. NEW BUSINESS – None

10. OLD BUSINESS

Chairman Neiman referenced the Board's discussion last month regarding zoning code revisions. Mr. McGinnis reported staff will regroup and identify those sections that are most problematic before returning to the Board.

11. ADJOURNMENT

With no further business before the Zoning Board of Appeals, Member Podliska made a motion to **adjourn the Zoning Board of Appeals of February 16, 2022.** Member Alesia seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

Chairman Neiman declared the meeting adjourned at 7:57 p.m.

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: March 22, 2022

RE: Zoning Variation – V-03-22; 933 S. Grant Street

In this application for variation, the applicant requests relief from the driveway width requirements set forth in section 9-104(F)(3)(C) of the Code in order to construct a circular driveway. The specific request is for an increase of 7' over the 20' permitted by code.

This property is a non-conforming lot located in the R-2 Residential District in the Village of Hinsdale and is located on the east side of Grant Street between Ninth Street and 55th. The property is approximately 120'x154.42' for approximately 18,530 square feet of lot area. The maximum permitted lot coverage is 50% or 9,265sf., the existing lot coverage is 6,840sf., and the proposed lot coverage is 7,307sf.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-03-22



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): Nathen Lucht

Address of Subject Property: 933 S Grant St. Hinsdale, IL 60521

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

FOR OFFICE USE ONLY

Date Received: 4/1/22 CB Zoning Calendar No. V0322

PAYMENT INFORMATION: Check # _____ Check Amount \$ _____

SECTION 1- NAME & CONTACT INFORMATION

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

Name: Nathen Lucht

Address: 933 S Grant St. Hinsdale, IL 60521

Telephone: [REDACTED] email: [REDACTED]

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

Name: _____

Address: _____

Telephone: _____ email: _____

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

a. Attorney: _____

b. Engineer: Engineering Resource Associates Inc.

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: 0912321005

Address: 933 S Grant St, Hinsdale, IL 60521

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.)*

9-104:F.3.(c) Widths: The total width of driveways measured at the lot line on a parcel of property used for residential purposes shall not exceed one-third (1/3) the lot frontage and no single-family driveway shall exceed twenty feet (20') when measured at the front and/or corner side lot line. In the case of a detached garage located not more than ten feet (10') from public alley lot line, the driveway shall not exceed the width of the detached garage. The width of the driveway approach measured at the curb shall in no case be greater than five feet (5') more than the width measured at the property line.

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.)*

Two driveway locations cross the property line. One location is 10 feet wide at the property line. The other is 17 feet. wide, which gives a total driveway width at the property line of 27 feet. So a

a variation to allow an extra 7' of driveway width at the property line is being sought.

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.)*

7 feet is the minimum variation necessary for the proposed use.

**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.

<p style="text-align: center;">SECTION 5- STANDARDS FOR VARIATION – FENCES <i>AS SET FORTH IN SECTION 9-12-3(J)</i></p>

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.

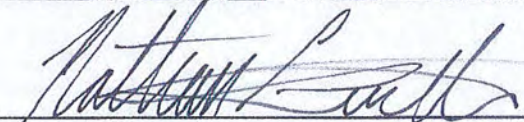
In addition to the data and information required pursuant to any application as herein set forth, every Applicant shall submit such other and additional data, information, or documentation as the Village Manager or any Board of Commission before which its application is pending may deem necessary or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

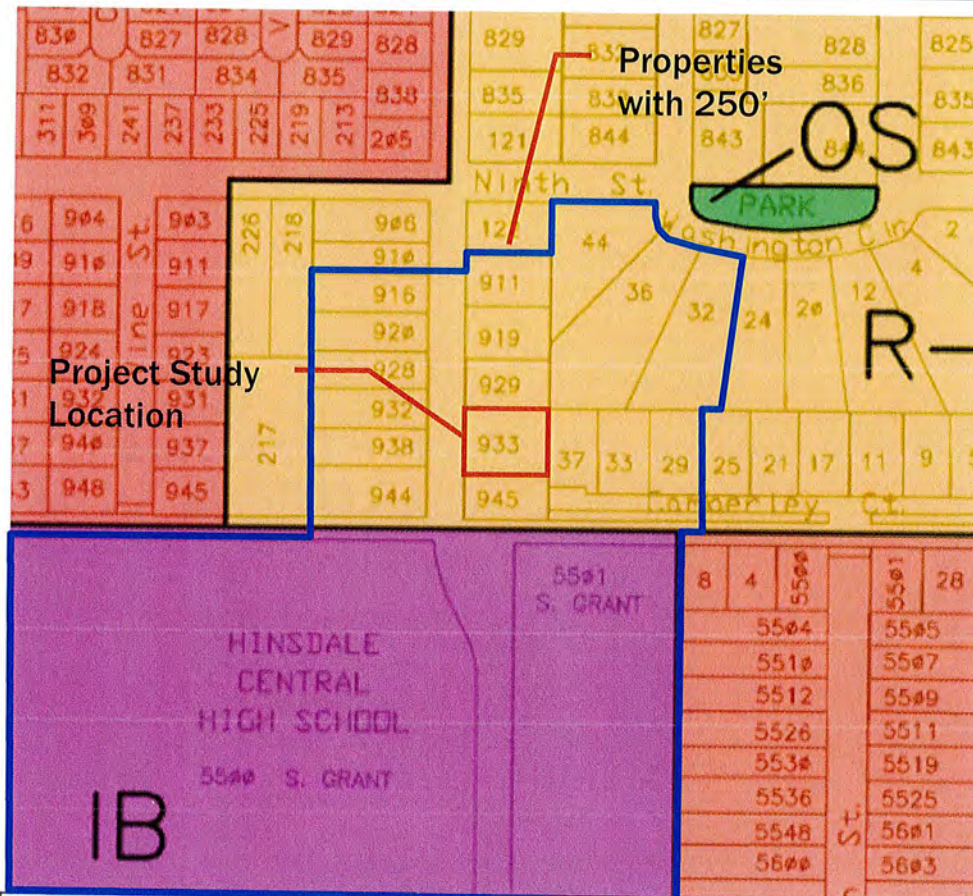
By signing below, the owner or their authorized representative, states that he/she consents to the filing of this application and that all information contained herein is true and correct to the best of his/her knowledge.

Name of Applicant(s): NATHAN LUCHT

Signature of Applicant: 

Signature of Applicant: _____

Date: 3/3/22



Zoning District Boundaries

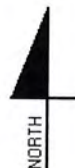
R-1 Single Family Residential District	B-1 Community Business District	D-1 Specialty Office District
R-2 Single Family Residential District	B-2 Central Business District	D-2 Limited Office District
R-3 Single Family Residential District	B-3 General Business District	D-3 General Office District
R-4 Single Family Residential District		IB Institutional Buildings District
R-5 Multiple Family Residential District		HS Health Services District
R-6 Multiple Family Residential District		Open Space District
		Design Review Overlay District

Exhibit 1

Zoning Map

Lat/Long: 41° 47' 22.6", -87° 55' 53.8"

Project Study Location



Client: Nathen Lucht
 Project Name: 933 S. Grant St.
 ERA Project #: W21215.00
 Source: Hinsdale 2019 Zoning Map

Not to Scale



Engineering Resource Associates, Inc.
 3S701 West Avenue, Suite 150
 Warrenville, IL 60555
 Phone: (630) 393-3060 FAX: (630) 393-2152

Warrenville | Chicago | Champaign
www.eraconsultants.com

PIN	OWNER	PROPERTY STREET NUMBER	PROPERTY STREET DIRECTION	PROPERTY STREET NAME	PROPERTY APARTMENT	PROPERTY CITY	PROPERTY ZIPCODE
0912320015	DZIEDZIC; FLORIAN & I TR	920	S	GRANT ST		HINSDALE	60521
0912320016	PAREKH; AMI & PRANAV	928	S	GRANT ST		HINSDALE	60521
0912321004	PREUSSER; JEFF & LAURA TR	929	S	GRANT ST		HINSDALE	60521
0912321009	MARUSHKA; PAUL & EMILIA	32	S	WASHINGTON CIR		HINSDALE	60521
0912321008	MACA; ALLAN L JR TR	36		WASHINGTON CIR		HINSDALE	60521
0912321007	VLADISAVLJEVICH; S & P	44	S	WASHINGTON CIR		HINSDALE	60521
0913101027	SCHOOL DISTRICT NO 86			55TH ST		HINSDALE	60521
0913100015	SCHOOL DISTRICT NO 86			55TH ST		HINSDALE	60521
0912320017	CAO; SHUMIN	932	S	GRANT ST		HINSDALE	60521
0912320014	WESELY TR; MERIDEL A	916	S	GRANT ST		HINSDALE	60521
0912320019	YUSUF; SHAHID TR	944	S	GRANT ST		HINSDALE	60521
0912321005	LUCHT; N & M PAINTER	933	S	GRANT ST		HINSDALE	60521
0912321002	VILLA BENVENUTO LLC	911	S	GRANT ST		HINSDALE	60521
0912321032	RISMANTAB-SANY; JALIL & M	945	S	GRANT ST		HINSDALE	60521
0912321017	SMEGO; MARGARET TR	29		CAMBERLEY CT		HINSDALE	60521
0912321003	SATKO; C & B GUTKOWSKI	919	S	GRANT ST		HINSDALE	60521
0912320018	KUO; JIM FA JEN & MAI P	938	S	GRANT ST		HINSDALE	60521
0912321016	DUBAUSKAS; ADAM & OZLEM	33		CAMBERLEY CT		HINSDALE	60521
0912321015	ALLEN; SCOTT	37		CAMBERLEY CT		HINSDALE	60521

THE WEST 154.2 FEET OF THE NORTH 120 FEET OF LOT 10, IN T.H. AND R.W. WILLIS' ADDITION TO HINSDALE, A SUBDIVISION OF THE EAST 1398.54 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 09-12-321-005

COMMONLY KNOWN AS: 933 S. GRANT STREET, HINSDALE, ILLINOIS



KABAL SURVEYING COMPANY

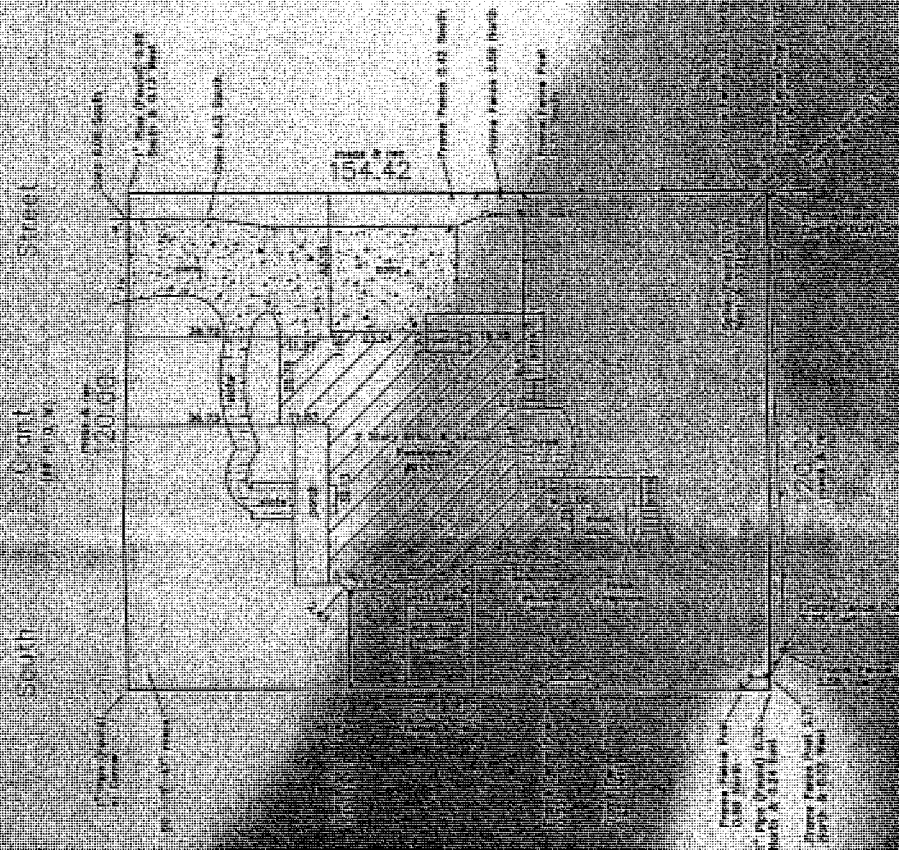
Land Surveying Services

Plat of Survey

The West 154.42 feet of the North 120 feet of Lot 10 to T. H. and E. W. New, Assessor's Map, a Subdivision of the West 1200 feet of the South half of the North half of the Eastern quarter of Section 12, Township 28 North, Range 11, East of the 12th Principal Meridian, in DePue County, Illinois.

Address: 153 South Canal Street, Chicago

10407 West Carmack Road
Westchester, Illinois 60154
(708) 582-2052
Fax (708) 582-7114
e-mail: kabal-surveying@comcast.net
website: kabal-surveying.com
registration no. 185-120001



035-003250
PROFESSIONAL
SURVEYOR

This professional survey was made in accordance with the laws of the State of Illinois.

February 9, 2022

Mr. Robert McGinnis,
Community Development Department
19 E. Chicago Ave.
Hinsdale, IL 60521

SUBJECT: 933 S. Grant St. – Section 4 - Standards for Variation

Dear Mr. McGinnis:

The Lucht family recently purchased the property. The property has no safe allowable on street parking due to the proximity to the adjacent major intersection and traffic signal/turn lane. There is extremely heavy traffic that occurs three times per day in front of this house. Traffic usually occurs from 7:15 am to 8:10 am, then from 2:30 pm – 3:20 pm on school days, and during rush hour from 4:30 pm to 6:00 pm. There are other safety issues with people parking illegally on the west side of Grant St, people pulling U-turns in the road, people driving above the speed limit, and kids running across the street to get in and out of cars. It becomes a safety hazard to back out of the driveway in the morning and afternoon when kids get dropped off and picked up. The owners would like to construct a circle driveway, but there are some existing trees, which they would like to keep. The existing trees limit the location for the driveway close to the property line. To make the driveway safe and navigable a turning radius that extends over the lot line is necessary. The turning radius puts the driveway width at the property line about 7' over the 20' allowable by the zoning code. There is no sidewalk in this location and the grass here extends all the way to the road. There is no discernable barrier which the driveway radiuses are extending over.

Unique Physical Condition:

The current driveway geometry requires vehicles to back out. The site has a close proximity to a busy intersection with a traffic signal and turn lane. There is heavy traffic occurs three times per day in front of this house. The vehicle and pedestrian traffic becomes a safety hazard to backout of the driveway in the morning and afternoon when kids get dropped off and picked up. A circle driveway is necessary to allow for a navigable turn around. There are also existing trees on site which the owner would like to keep. To avoid harming the existing trees the circular driveway needs to be close to the front property line.

Not Self-Created:

The vehicle and pedestrian traffic at the property are preexisting safety issues. This variation is necessary to provide safe vehicle access to the site from the existing vehicle and pedestrian traffic. The existing tree locations are also an existing condition of the site that need to be worked around to avoid harming them.

Denied Substantial Rights:

Being denied the variance would make it necessary to cut down the two healthy trees in the front yard in order to keep the driveway navigable. The two trees are nice looking and provide a buffer to the house from the heavy traffic. The trees also provide shading and fit in with the aesthetic of the neighborhood.

Not Merely Special Privilege:

WARRENVILLE

3S701 WEST AVENUE, SUITE 150
WARRENVILLE, IL 60555
P 630.393.3060

CHICAGO

10 SOUTH RIVERSIDE PLAZA, SUITE 875
CHICAGO, IL 60606
P 312.474.7841

CHAMPAIGN

2416 GALEN DRIVE
CHAMPAIGN, IL 61821
P 217.351.6268

The proposed variance is necessary to provide the same privileges as other homeowners. To have a safe and navigable driveway, to have a buffer to the house from the existing traffic, and to have trees that provide shade and fit in with the aesthetic of the neighborhood.

Code and Plan Purposes:

The requested would be in harmony with the purposes of the zoning code. There is no sidewalk or other distinguishing lot line feature that the additional driveway width at the lot line would harm.

Essential Character of the Area:

The requested variation would not harm the essential character of the area. The variance would not be materially detrimental to the public welfare or materially injurious to the enjoyment, use development, or value of property improvements permitted in the vicinity. The variance would not materially impair an adequate supply of light and air to the properties and improvements in the vicinity. The variance would not substantially increase congestion in the public streets due to traffic or parking. The variance would help to reduce traffic congestion by allowing cars to pull out of the driveway forward rather than having to back into a very busy Grant St. The variance would not unduly increase the danger of flood or fire. The variance would not unduly tax public utilities and facilities in the area. The variance would not endanger the public health and safety.

Please feel free to contact me with any questions at 630-393-3060 or jgreen@eraconsultants.com

Sincerely,
ENGINEERING RESOURCE ASSOCIATES, INC.
WARRENVILLE

Jon Green, P. E., C.F.M.



ENGINEERING
RESOURCE ASSOCIATES

8a

MEMORANDUM

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

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

DATE: February 10, 2022

RE: Zoning Variation – V-01-22; 527 (Lot 9) & 541 (Lot 2) Kensington Court, Kensington Court Subdivision

In this application for variation, the applicant requests relief from the fence requirements set forth in 9-12-3 and 7-1D-4 of the municipal code in order to construct a 6' solid fence in the corner side yard on lots 9 & 2 in the Kensington Court Subdivision.

This property is located in the R-4 Single Family Residential District in the Village of Hinsdale and is located on the east side of Monroe Street between Ogden Avenue and North Street. The lots each have a frontage of approximately 80.50', an average depth of approximately 129', and a total square footage of approximately 10,384. The maximum FAR is approximately 3,692 square feet, the maximum allowable building coverage is 25% or approximately 2,596 square feet, and the maximum lot coverage is 50% or 5,192 square feet.

cc: Kathleen Gargano, Village Manager
Zoning file V-01-22



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): J Jordan Homes LLC

Address of Subject Property: 527 (Lot 9) 541 (Lot 2)
Kensington Ct. Subdivision

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

Contract pending to purchase

FOR OFFICE USE ONLY

Date Received: 2/10/22 CR Zoning Calendar No. V-01-22

PAYMENT INFORMATION: Check # _____ Check Amount \$ _____

SECTION 1- NAME & CONTACT INFORMATION

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

Name: Charles marlas
Address: 743 McClintock Dr. Burr Ridge, 60527
Telephone: [REDACTED] email: [REDACTED]

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

Name: J Jordan Homes LLC
Address: 112 S. Grant St., Hinsdale 60521
Telephone: 312-320-9990 email: julie@jjordanhomesllc.com

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

- a. Attorney: Junilla Sledziewski - 312-252-9777
- b. Engineer: Jon Green - ERA - jgreen@eraconsultants.com
- c. Architect: Raynette Bradford - Raynette@momentdesign.net
- d. Contractor: J Jordan Homes - julie@jjordanhomesllc.com
- e. Other: Dave Hellyer - dave@jjordanhomesllc.com

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:

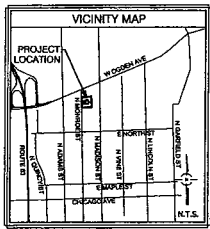
Name: N/A
Address: _____
Telephone: _____ email: _____

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. N/A
- b. _____

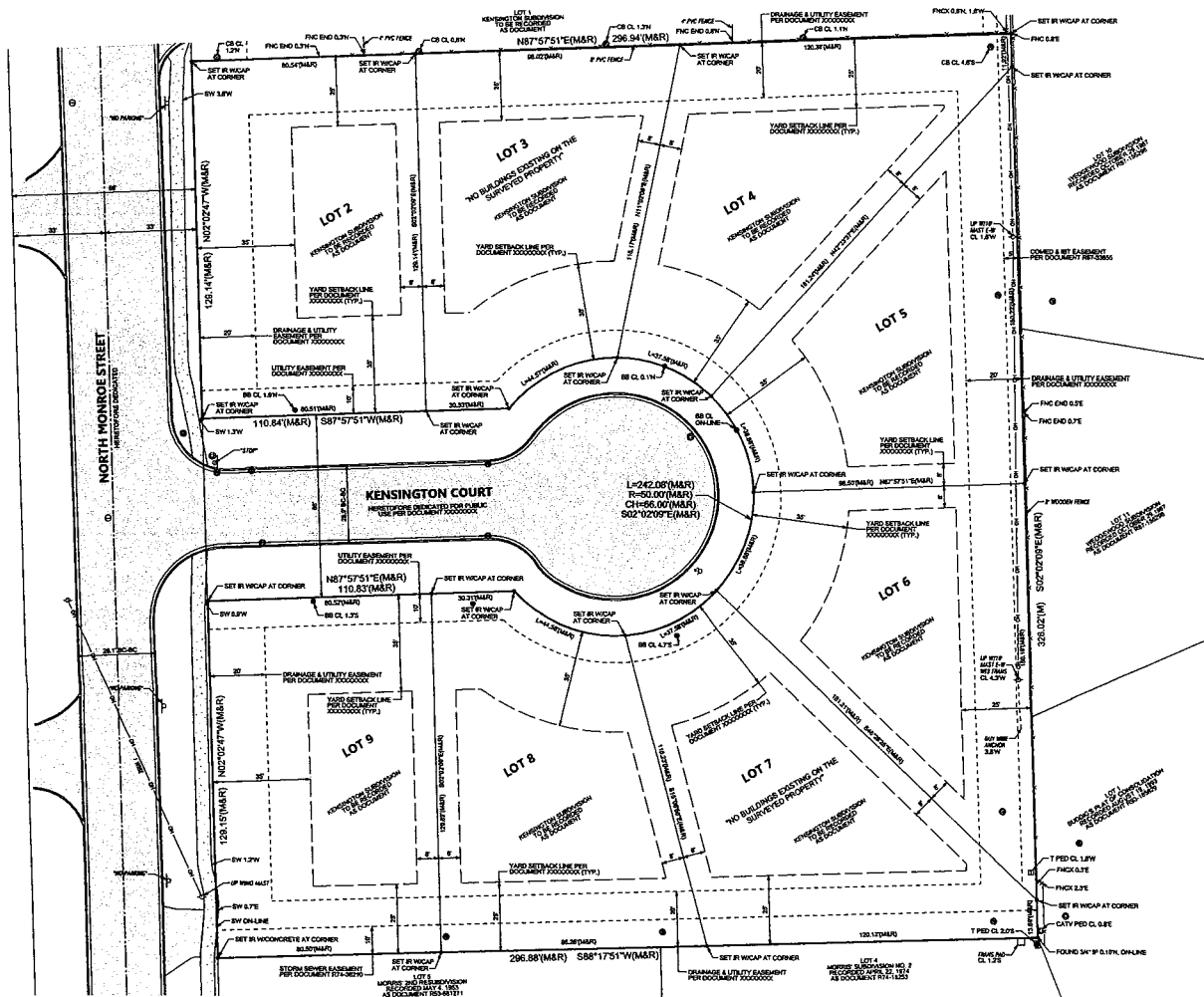
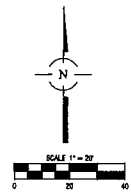
SECTION 2- REQUIRED DOCUMENTATION

1. **Subject Property.** Address, PIN Number, and legal description of the subject Property, use separate sheet for legal description, if necessary.
PIN Number: see attached
Address: see attached
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. N/A
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.) See Atch
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. See Atch
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. R-4
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. see Atch
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) N/A
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. N/A



A.L.T.A. / N.S.P.S. LAND TITLE SURVEY

LEGEND			
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
45	46	47	48
49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100



PROPERTY DESCRIPTION:
LOT 9A M.L.

NOTES:

THIS SURVEY REFLECTS MATTERS OF TITLE AS LISTED ON A COMMITMENT FOR TITLE INSURANCE BY THE TITLE INSURANCE COMPANY. COMMITMENT NUMBER 18-00115, DATED 08/15/2018.

AS REQUIRED UNDER THE 2014 MINIMUM STANDARDS DETAIL REQUIREMENTS FOR ALTA/ASPS LAND TITLE SURVEYS, EVIDENCE ON OR ABOVE THE SURFACE OF THE SURVEYED PROPERTY OBSERVED IN THE PROCESS OF CONDUCTING THIS SURVEY, WHICH EVIDENCE MAY AFFECT THE SURVEY, IS SHOWN ON THIS SURVEY. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE SURVEYED PROPERTY.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. NO DISTANCES OR ANGLES SHOWN HEREON MAY BE ASSUMED BY SCALING. BEARINGS SHOWN HEREON ARE BASED ON THE 2011 MINIMUM STANDARDS DETAIL REQUIREMENTS FOR ALTA/ASPS LAND TITLE SURVEYS. COORDINATE SYSTEM: EAST ZONE (GCS NAD 83) DATUM: NAD 83. ELEVATION: 1200.00 FEET. (SEE SURVEYOR'S FIELD BOOK FOR DETAILS.)

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ELLINOIS SURVEYING STANDARDS FOR A BOUNDARY SURVEY IN ADDITION TO THE 2014 MINIMUM STANDARDS DETAIL REQUIREMENTS FOR ALTA/ASPS LAND TITLE SURVEYS.

SPACCO, INC. IS AN ILLINOIS PROFESSIONAL DESIGN FIRM REGISTERED UNDER LICENSE NUMBER 18-00115.

NO CEMETERIES, GRAVESITES OR BURIAL GROUNDS WERE DISCLOSED IN THE RECORD DOCUMENTS PROVIDED TO THE SURVEYOR. ADDITIONALLY, THIS SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE SURVEYED PROPERTY.

THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE SURVEYED PROPERTY.

NO MONUMENTS WERE FOUND AT THE PARCEL CORNERS AS SHOWN, (TABLE A ITEM 1)

NO ADDRESSES FOR THE SURVEYED PARCELS WERE DISCLOSED IN RECORD DOCUMENTS OR OBSERVED WHILE CONDUCTING THE SURVEY, (TABLE A ITEM 2)

BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD MAP WITH AN EFFECTIVE DATE OF AUGUST 1, 2014, IT IS BEING CONSIDERED THAT THE SURVEYED PROPERTY IS NOT IN A FLOOD HAZARD ZONE. (TABLE A ITEM 3)

PROPERTY SURVEYED CONTAINS 0.144 SQUARE FEET, OR 1.44 ACRES, MORE OR LESS, (TABLE A ITEM 4)

NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY, (TABLE A ITEM 5)

SUBSTANTIAL FEATURES ARE SHOWN HEREON, (TABLE A ITEM 6)

THERE ARE A TOTAL OF 10 EASEMENTS SHOWN ON THE SURVEYED PROPERTY, (TABLE A ITEM 7)

NOTES FROM TITLE COMMITMENT:

STATE OF ILLINOIS
COUNTY OF COOK

TO: NAME OF SURVEYOR AND TO: NAME OF ENGINEER, IF ANY, AND TO: NAME OF DESIGNER, IF ANY, AND TO: NAME OF OTHERS AS NEGOTIATED WITH THE CLIENT.

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2014 MINIMUM STANDARDS DETAIL REQUIREMENTS FOR ALTA/ASPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ILLINOIS AND INCLUSIVE FROM 1.5, 2.4, 7.0, 8.4, 8.5 OF TABLE "A" THEREOF. THE PRELIMINARY WORK WAS COMPLETED ON MARCH 13, 2018.

ON MY HAND AND SEAL THIS _____ DAY OF _____, 2020, I, ROBERT M. SPACCO, ILLINOIS.

CLARENCE P. SPACCO, ILLINOIS
LICENSE NUMBER: 11-00115
SPACCO, INC.

(PAID ONLY IF EMBOSSED SEAL AFFIXED)

REVISIONS:	

CONSULTING ENGINEERS	DATE: 03/20/2020
SITE DEVELOPMENT ENGINEERS	JOB NO: 9581.02
LAND SURVEYORS	FILE NAME:
	1981-02A (11-01-0201)
	SHEET
	3 OF 1

7875 W. Higgins Road, Suite 700
Rosemont, Illinois 60018
Phone: (847) 496-4040 Fax: (847) 496-4043

FOR REVIEW
PURPOSES ONLY

Kensington Court
PIN numbers/addresses
2/7/2022

Lot #	PIN Number
2	09-02-213-018
3	09-02-213-019
4	09-02-213-020
5	09-02-213-021
6	09-02-213-022
7	09-02-213-023
8	09-02-213-024
9	09-02-213-025

Section 2
Item #3

Property Address:

447 N. Monroe
Hinsdale, Il 60521

Owner:

MITCHELL SAYWITZ
707 INGLESIDE PL
EVANSTON IL 60201

Property Address:

441 N. Monroe
Hinsdale, Il 60521

Owner:

SHAHID YUSUF,
96 LIVERY CT
OAK BROOK IL 60523-2594

Property Address:

444 N. Monroe
Hinsdale, Il 60521

Owner:

L & I IRLANDA JENNINGS
444 N MONROE ST
HINSDALE IL 60521

Property Address:

454 N. Monroe
Hinsdale, Il 60521

Owner:

NOELLA & WADE BREWER
454 N MONROE ST
HINSDALE IL 60521

Property Address:

433 N. Monroe
Hinsdale, Il 60521

Owner:

JOHN & KATHLEEN HOULIHAN
433 N MONROE
HINSDALE IL 60521

Property Address:

434 N. Monroe
Hinsdale, Il 60521

Owner:

JOSEPH & M CHOJNOWSKI
434 N MONROE ST
HINSDALE IL 60521

Property Address:

521 Morris Lane
Hinsdale, IL 60521

Owner:

THOMAS K CAULEY
521 MORRIS LN
HINSDALE IL 60521

Property Address:

Hinsdale Orthopedics
550 W. Ogden
Hinsdale, IL 60521

Corporate Office:

???

Property Address:

Kensington School
540 Ogden
Hinsdale, IL 60521

Corporate Office

743 McClintock Dr.
Burr Ridge, IL 60527

--

Kensington Court
Section II - Conformity

Currently the code allows for a 2' wall at the property line. We are asking for a 6' wall that will block views of the Hinsdale Orthopedics parking lot to the west.

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.)*

9-12-3(E)1

7-1D-4

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.)*

9-12-3(E)1: we are requesting relief for a 4' additional height on a solid fence in corner yard setbacks on properties listed for screening from Hinsdale Orthopedics parking lot

7-1D4: we are requesting relief on the sight distance triangle.

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.)*

4' of relief on the allowable height on a solid fence in the corner side yard.

Section 3 - Zoning Relief Requested
Items #1 - #2 - #3

J Jordan Homes is under contract to purchase the Kensington Court Subdivision. The intention is to have a gated community with a private street. An HOA will be responsible for the lawn and street maintenance.

**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 or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the Subject Property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current 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.
-

- (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.

<p style="text-align: center;">SECTION 5- STANDARDS FOR VARIATION – FENCES <i>AS SET FORTH IN SECTION 9-12-3(J)</i></p>

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.

Section 4 - Standards for Variation

Items A - F

- (a) Unique Physical Condition - to the west is a parking lot for the Hinsdale Orthopedic and is not an acceptable view to the high quality residential homes we're proposing.
- (b) Not Self-Created - A code compliant neighborhood is being suggested for this location that fits in with the residential area
- c - Denied Substantial Rights - yes
- (d) Not Merely Special Privilege - This would only affect residential areas that were directly adjacent to commercial properties
- e - Code and Plan Purposes - 6' is minimum
- (f) Essential Character of the Area - No
- (g) No Other Remedy - Correct

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.


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): J Jordan Homes LLC

Signature of Applicant:  Managing Member

Signature of Applicant: _____

Date: 2/7/2022

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.



[moment] DESIGN

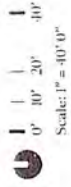
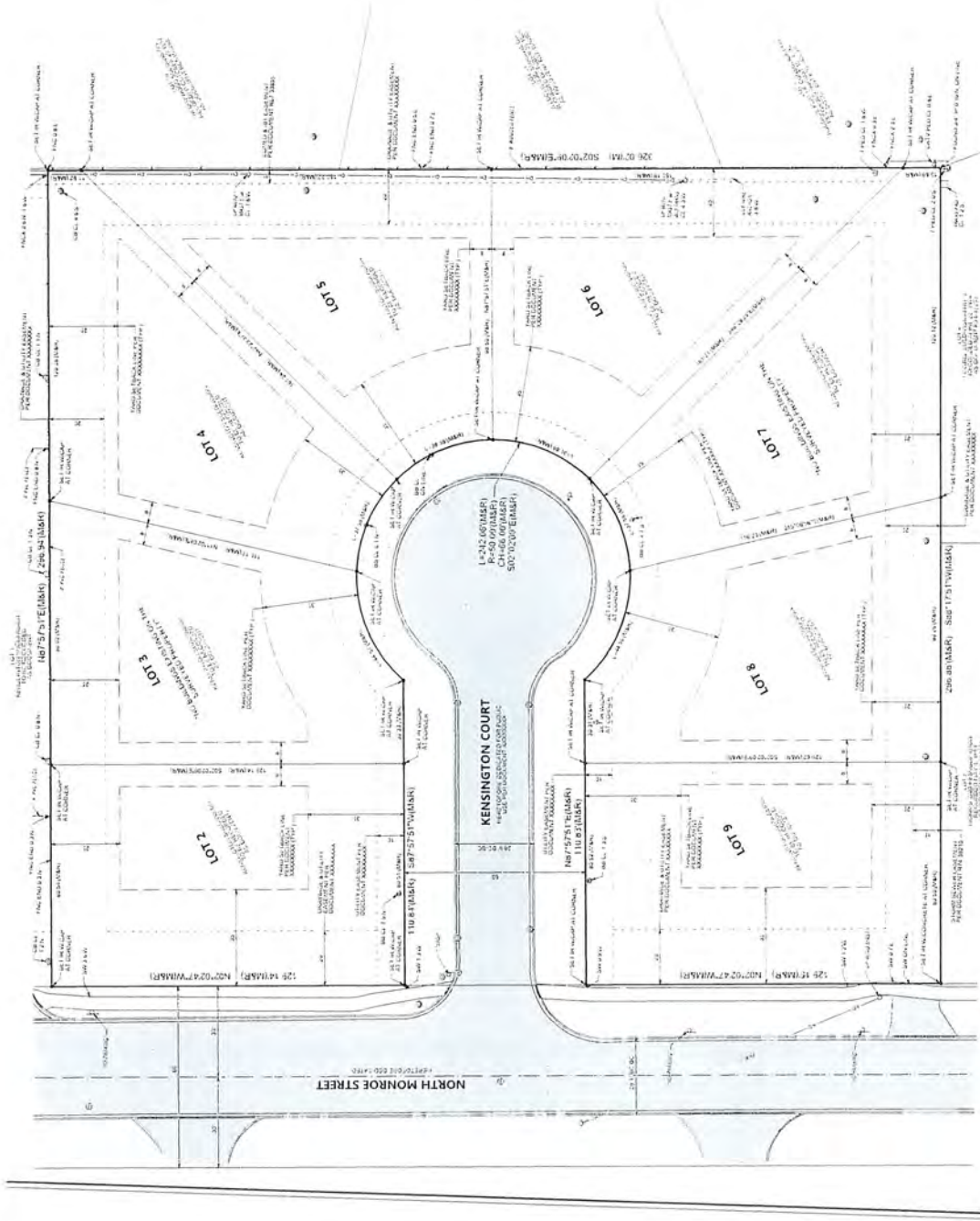
DIVISION:32

Landscape Architecture & Construction

THE EIGHT: ENTRY FENCE & GATE EXHIBITS

April 11 2022

J. Jordan Homes
The Eight
Hinsdale, IL

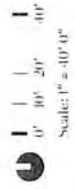


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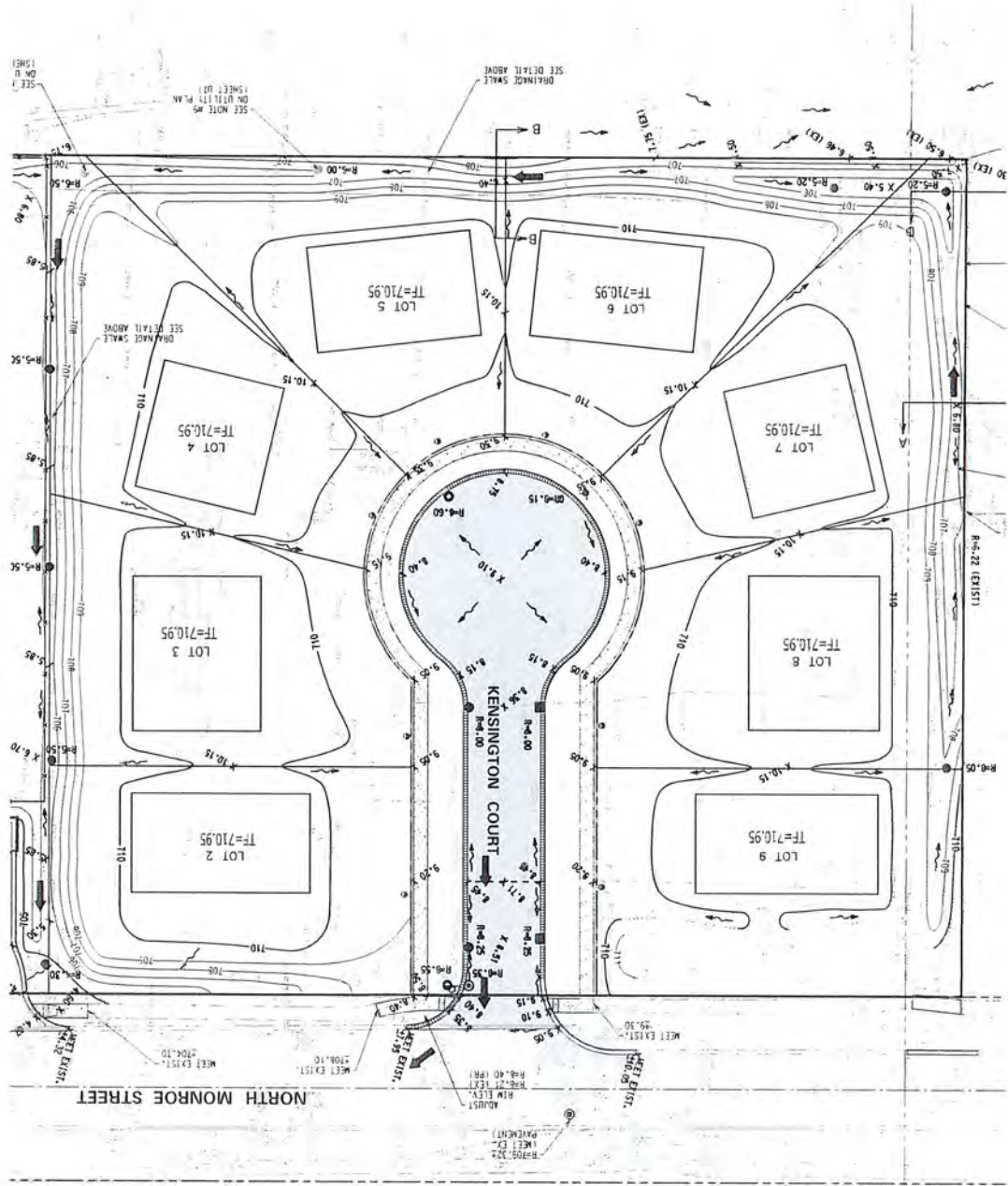
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EXISTING SITE PLAN

DIVISION: 32



EXISTING TOPOGRAPHY





Looking Northeast



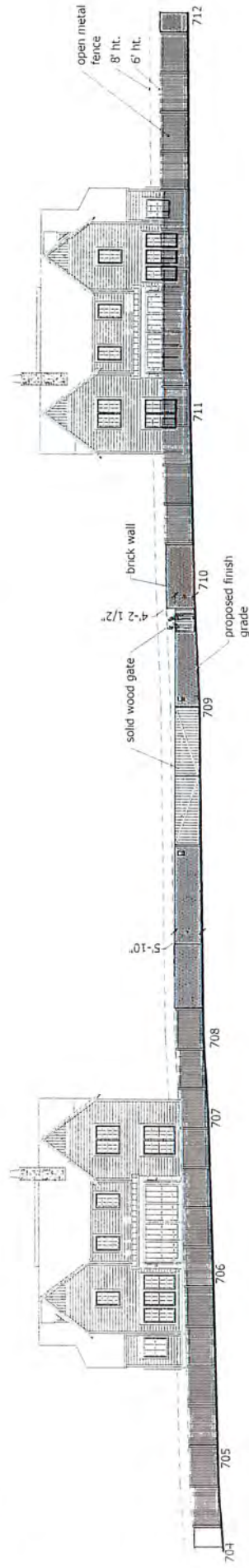
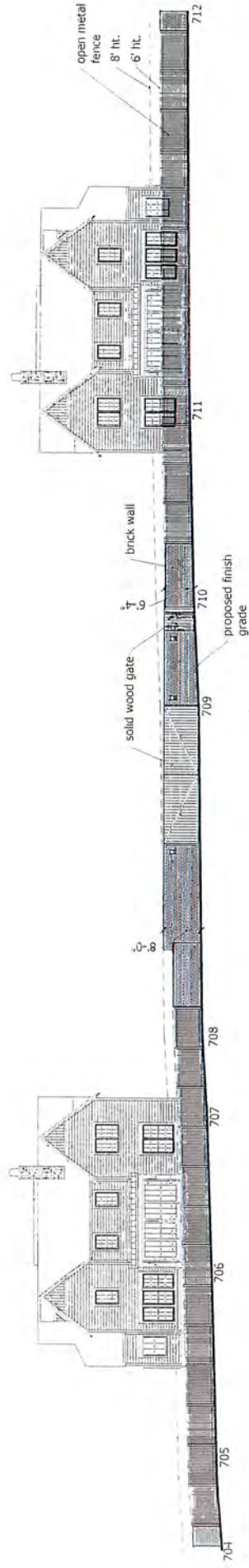
Looking East



Looking West



Looking Southeast





OPTION A: CONCEPT SKETCH



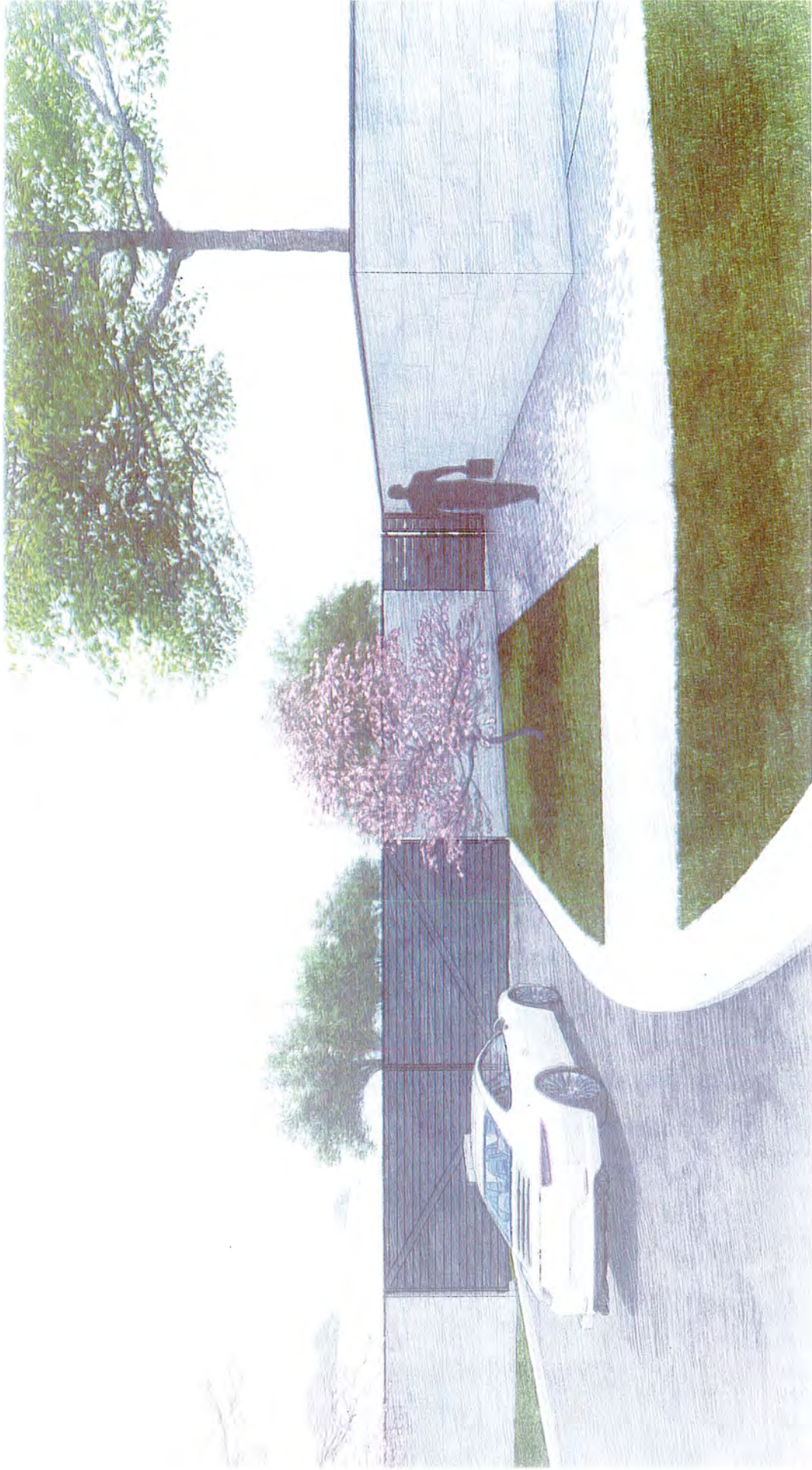
OPTION A: CONCEPT SKETCH



OPTION A: CONCEPT SKETCH



OPTION A: CONCEPT SKETCH



OPTION A: CONCEPT SKETCH



OPTION A: CONCEPT SKETCH



OPTION A: CONCEPT SKETCH

MEMORANDUM

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

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

DATE: March 22, 2022

RE: Zoning Variation – V-02-22; 307 S. Lincoln Street (REVISED)

In this application for variation, the applicant requests relief from the Floor Area Ratio (FAR) requirements set forth in section 3-110(E)(3) of the Code in order to add a second floor bedroom to a historic home. The specific request is for an increase of 354 square feet.

It should be noted that in the event the Zoning Board of Appeals approves the request, it will move on to the Board of Trustees as a recommendation. The ZBA does not have final authority on the requested variation in this case.

This property is a conforming lot located in the R-4 Residential District in the Village of Hinsdale and is located on the south east corner of Third and Lincoln. The property is approximately 132'x166.5' for approximately 21,780 square feet of lot area. The maximum permitted FAR is approximately 6,356sf. and the existing FAR is approximately 6,356sf.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-02-22



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): Nathan Saegesser and Natalie Saegesser

Address of Subject Property: 307 South Lincoln Street, Hinsdale, Illinois 60521

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

FOR OFFICE USE ONLY

Date Received: 3/9/22 UB Zoning Calendar No. V-02.22

PAYMENT INFORMATION: Check # _____ Check Amount \$ _____

SECTION 1- NAME & CONTACT INFORMATION

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

Name: Chicago Title Land Trust Company, as Trustee under Trust Agreement dated June 22, 2011 and known as Trust Number 8002357262

Address: 307 South Lincoln Street, Hinsdale, Illinois 60521

Telephone: (773) 960-9221

email: nsaegesser@gmail.com

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

Name: Nathan Saegesser and Natalie Saegesser

Address: 307 South Lincoln Street, Hinsdale, Illinois 60521

Telephone: (773) 960-9221

email: nsaegesser@gmail.com

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

a. Attorney: Scott M. Day, Day & Robert, P.C. (smd@drm.law)

b. Engineer: _____

c. Architect: Bruce George, Charles Vincent George Architects

bgeorge@cvgarchitects.com

d. Contractor: Dave Knecht, Dave Knecht Homes, LLC 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: Nathan Saegesser and Natalie Saegesser (beneficiaries)

Address: 307 South Lincoln Street, Hinsdale, Illinois 60521

Telephone: (773) 960-9221

email: nsaegesser@gmail.com

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: 09-12-124-001

Address: 307 South Lincoln Street, Hinsdale, Illinois 60521

Legal Description:

Lots 2 and 3 in Block 9 in Town of Hinsdale, being a Subdivision of the Northwest Quarter (except railroad lands) of Section 12, Township 38 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof recorded August 14, 1866 as Document Number 7738, in DuPage County, Illinois.

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.

See attached Warranty Deed dated February 7, 2020 and recorded March 2, 2020 under Document No. R2020-020768.

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.)

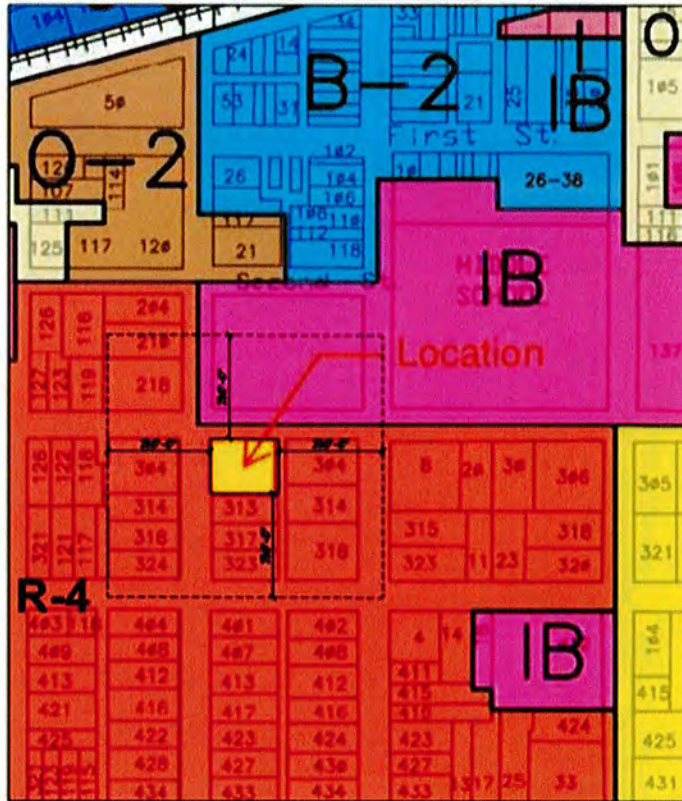
See attached list.

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.

See attached Survey (Site Plan).

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.

The existing Subject property is a single-family detached residence in the R-4 zoning district.



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.

The Subject Property would remain a single-family residence with no proposed usage change. The proposed addition to the residence is planned to conform with the existing style and conform to the architectural details of the existing residence.

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*)

See Section 4 below.

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.

To owners' knowledge, there has been no application for variation for this relief in the last two years.

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.)*

Section 3-110 Bulk, Space and Yard Requirement

FAR calculation of .2 plus 2,000 square feet of gross floor area

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.)*

To increase existing FAR from $(22,026.53 \times .20) + 2,000 = 6,405.306$ to 6,900 square feet (permitted = 6,405.306)

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.)*

Minimum required FAR from 6,405.306 to 6,900 square feet (rounded to an even 100 square feet) (increase of 494 square feet)

**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.

Applicant's Response:

Applicant's home is a unique historic residence (so designated by Historic Certification Consultants for the Village of Hinsdale in 2001) first occupied in 1894, just one year following the Columbia Exposition in the City of Chicago. This historic residence has enjoyed a long history of multiple owners making updates, re-siding, window and door replacements, and additions while maintaining a high degree of fidelity to the colonial revival historic architecture. Unfortunately, the original design provided for just three bedrooms on the second floor (primary family sleeping floor cluster excludes compromised rooms built out in the attic and a full in-law suite built over the garage). This original 1894 sleeping configuration has not changed. To achieve a conventional four-bedroom cluster arrangement, yet maintain fidelity to the historic architecture, an addition of roughly 500 square feet is necessary. (See drawings attached to this Application for Variation). But completing this addition to the second floor will push the square footage over the FAR limitation.

- (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.

Applicant's Response:

The unfortunate impact of the Village R-4 FAR limitation upon efforts to convert old historic architecturally significant homes to floor plates that dovetail with current life style is well known within Hinsdale. Current efforts undertaken by the Village planning propose elimination of the FAR restriction to induce owners of historic structures to reinvest while preserving the architecture for continued community aesthetic enjoyment. Much earlier expansion of this home has left the structure at the old FAR cap, without solving the odd three-bedroom limitation on the second floor.

- (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.

Applicant's Response:

Lacking additional FAR through variance, the only means of achieving a four-bedroom sleeping floor cluster would be to propose partial demolition. Doing so would be economically unwise, historically counter-productive, or perpetually entomb this location in an outdated floorplan.

- (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.

Applicant's Response:

Applicant merely asks permission to create a family friendly four-bedroom second floor sleeping cluster and avoid partial demolition in the name of honoring FAR regulations that are difficult with historic homes.

- (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.

Applicant's Response:

Applicant submits that the variation if granted would be in harmony with the longstanding efforts by the Village to preserve and enhance historic homes from the 19th century.

- (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.

Applicant's Response:

Applicant submits that the variation if granted would be in harmony with the longstanding efforts by the Village to preserve and enhance historic homes from the 19th century.

- (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.

Applicant's Response:

Applicant submits that partial demolition of a historically significant home is the sole alternative to obtaining additional FAR.

<p style="text-align: center;">SECTION 5- STANDARDS FOR VARIATION – FENCES <i>AS SET FORTH IN SECTION 9-12-3(J)</i></p>

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.

Applicant Response: No fences are a part of this variation.

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.

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): Nathan Saegesser and Natalie Saegesser

Signature of Applicant: 

Signature of Applicant: Natalie Saegesser

Date: March 7, 2022

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.

FD 19-1632

10/1

**WARRANTY DEED
ILLINOIS STATUTORY**

Mail To:

Thomas J. Anselmo

1771 W. Diehl #120

Naperville, IL 60563

Name & Address of Taxpayer:

Chicago Title Land Trust Company, as
Trustee under Trust Agreement dated June
22, 2011 and known as Trust Number
8002357262

307 S. Lincoln Street

Hinsdale, IL, 60521

FRED BUCHOLZ, RECORDER

DUPAGE COUNTY ILLINOIS

03/02/2020 11:59 AM

RHSP

COUNTY TAX STAMP FEE 1,250.00

STATE TAX STAMP FEE 2,500.00

DOCUMENT # R2020-020768

THE GRANTOR(S) William Scott Matzelle and Gretchen Matzelle, husband and wife, of 6101 51st St. S., St. Petersburg, State of Florida, 33715, for and in consideration of Ten and 00/100 Dollars, and other good and valuable consideration in hand paid, CONVEY(S) and WARRANT(S) Chicago Title Land Trust Company, as Trustee under Trust Agreement dated June 22, 2011 and known as Trust Number 8002357262

(BUYER'S ATTORNEY OR BUYER: CHECK APPLICABLE AND STRIKE ALL OTHERS)

☐ **Individually**

☐ **as Tenants in Common**

☐ **as Joint Tenants**

☐ **not as joint tenants, nor tenants in common, but as Tenants by the Entirety**

Whose address is 332 The Lane, Hinsdale, IL 60521, all interest in the following described Real Estate situated in the County of DuPage, in the State of Illinois, to wit:

SEE LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

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

SUBJECT TO: covenants, conditions and restrictions of record and building lines and easements, if any, provided they do not interfere with the current use and enjoyment of the Real Estate; and general real estate taxes not due and payable at the time of Closing.

Permanent Real Estate Index Number: 09-12-124-001

Address of Real Estate: 307 S. Lincoln Street, Hinsdale, IL, 60521

Dated this 14th day of February, 20 20.

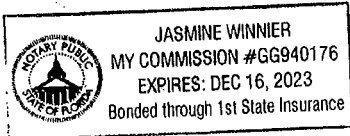
William Scott Matzelle
William Scott Matzelle

Gretchen Matzelle
Gretchen Matzelle

STATE OF Florida, COUNTY OF Piellas ss.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT **William Scott Matzelle**, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she/they signed, sealed and delivered the said instrument as his/her/ 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 7th day of Feb, 20 20.

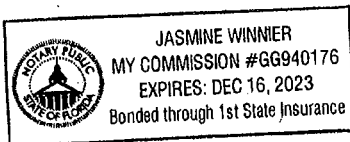


Jasmine Winnier (Notary Public)

STATE OF Florida, COUNTY OF Piellas ss.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT **Gretchen Matzelle**, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he/she/they signed, sealed and delivered the said instrument as his/her/ 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 7th day of Feb, 20 20.



Jasmine Winnier (Notary Public)

Prepared by: Hawbecker and Garver, LLC, 26 Blaine Street, Hinsdale, IL 60521

Exhibit A

Lots 2 and 3 in Block 9 in Town of Hinsdale, being a Subdivision of the Northwest 1/4 (except railroad lands) of Section 12, Township 38 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof recorded August 14, 1866 as Document Number 7738, in DuPage County, Illinois.

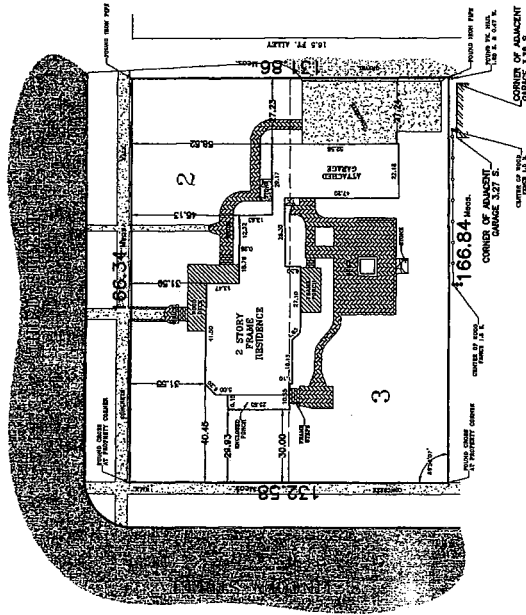
**Saegesser Application for Variation
307 South Lincoln Street
Hinsdale, Illinois 60521**

Section 2 Required Documentation

3. Neighboring owners
- 210 South Lincoln Street, Hinsdale, IL 60521
Owners: Tschosik, Patrick & E
 - 218 South Lincoln Street, Hinsdale, IL 60521
Owners: Hutchins, Samantha & R
 - 304 South Lincoln Street, Hinsdale, IL 60521
Owners: Peterchak, J & J Picerne
 - 314 South Lincoln Street, Hinsdale, IL 60521
Owners: Abdo, Elizabeth
 - 318 South Lincoln Street, Hinsdale, IL 60521
Owners: First American Bank FN 10118816
 - 324 South Lincoln Street, Hinsdale, IL 60521
Owners: Davis, Ernest M. & Elaine
 - 313 South Lincoln Street, Hinsdale, IL 60521
Owners: Rhatigan, Hannah & Liam
 - 317 South Lincoln Street, Hinsdale, IL 60521
Owners: Johnson, Stephen
 - 323 South Lincoln Street, Hinsdale, IL 60521
Owners: Meyer, Keith & Eileen
 - 304 South Washington Street, Hinsdale, IL 60521
Owners: Coffey, Thomas & Mary
 - 314 South Washington Street, Hinsdale, IL 60521
Owners: Dobrez, John & Tammy
 - 318 South Washington Street, Hinsdale, IL 60521
Owners: Powell Tr., Judith F.

- 100 South Garfield Avenue, Hinsdale, IL 60521
Owners: School District 181

SCALE: 1"=30'

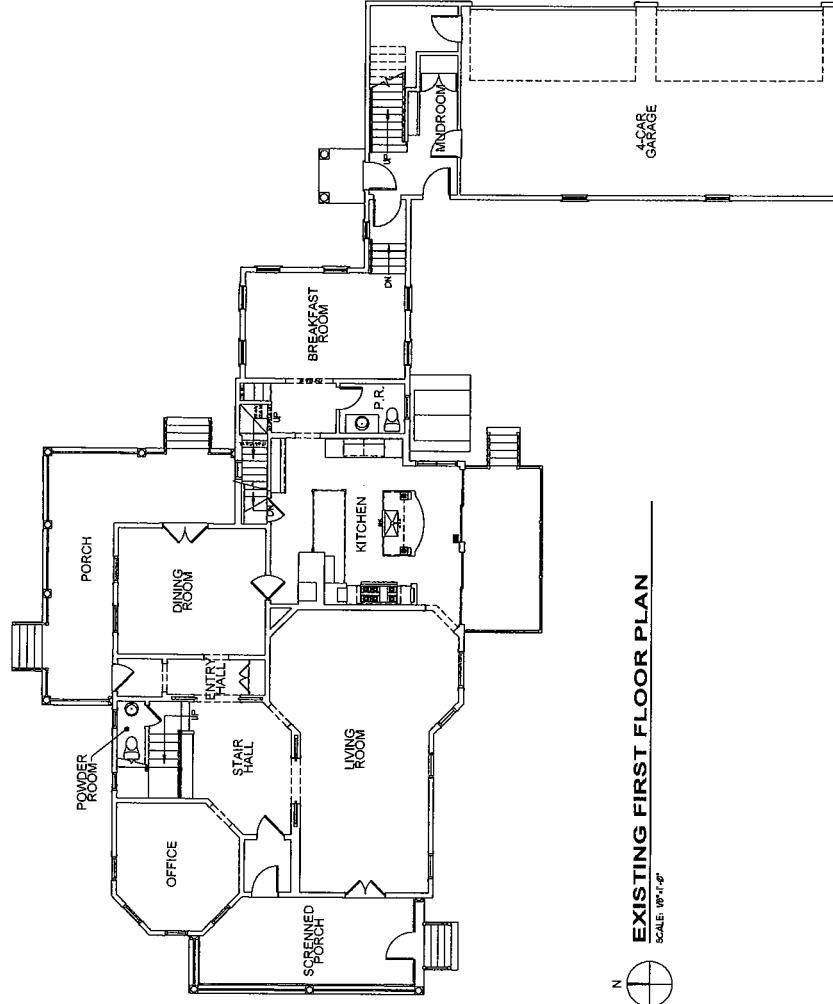


SITE PLAN
SCALE: 1" = 30'-0"

PROJECT DATA

[illegible]

 **charles vincent george**
ARCHITECTS
1345 E. Diehl Rd., Suite 101 • Naperville, IL 60563
P: 630.357.2023 • F: 630.357.2662

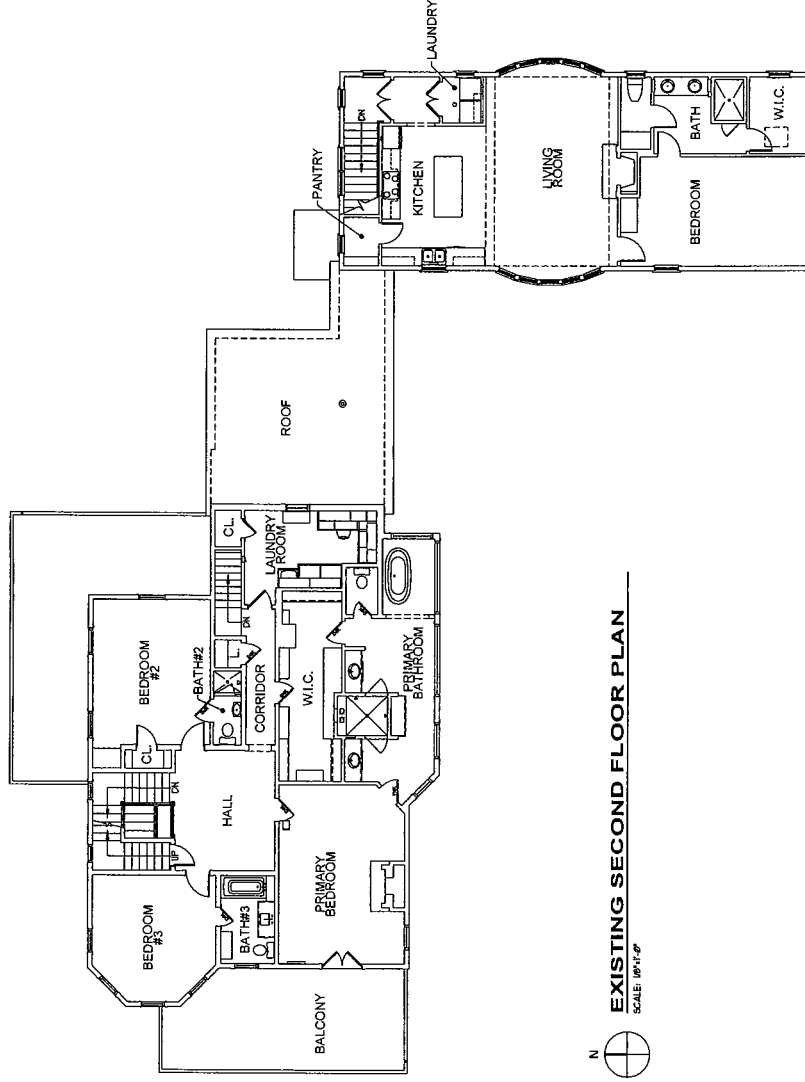


N
EXISTING FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



Charles Vincent George
ARCHITECTS
1445 E. DuSable, Suite 100 • Naperville, IL 60563
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Saegesser Basement Remodeling
307 S. Lincoln Street - Hinsdale, Illinois
February 18, 2022 | Project 2021-134

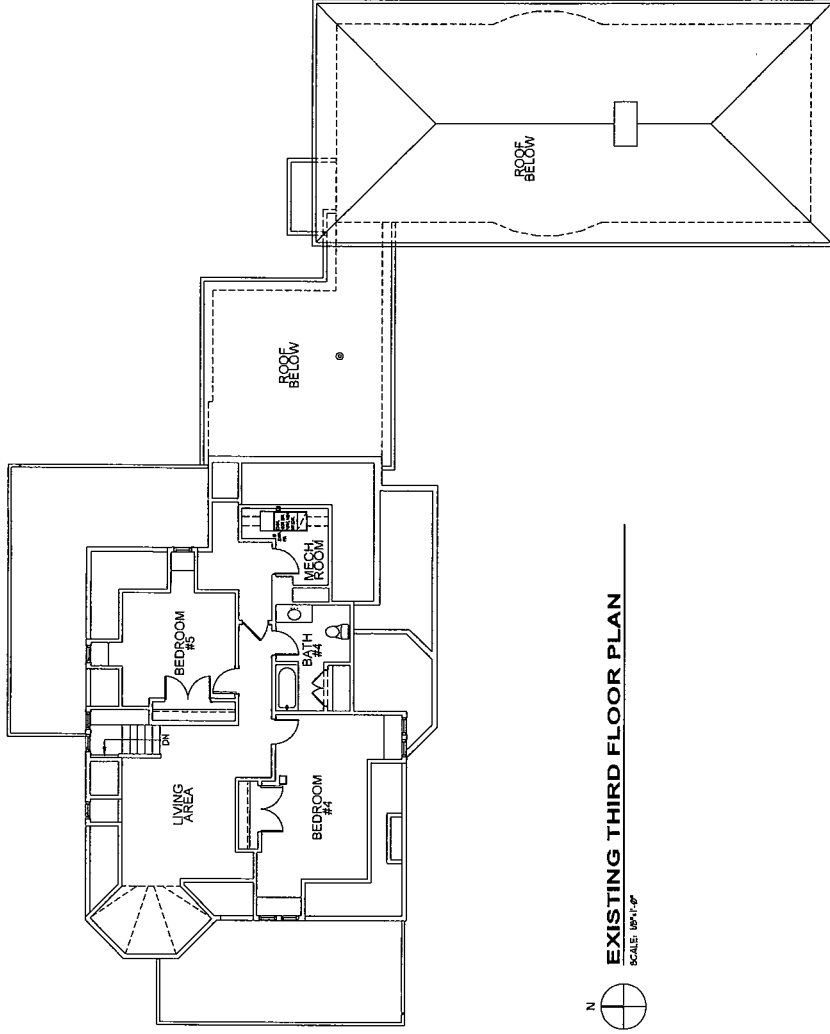



EXISTING SECOND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

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 307 S. Lincoln Street - Hinsdale, Illinois
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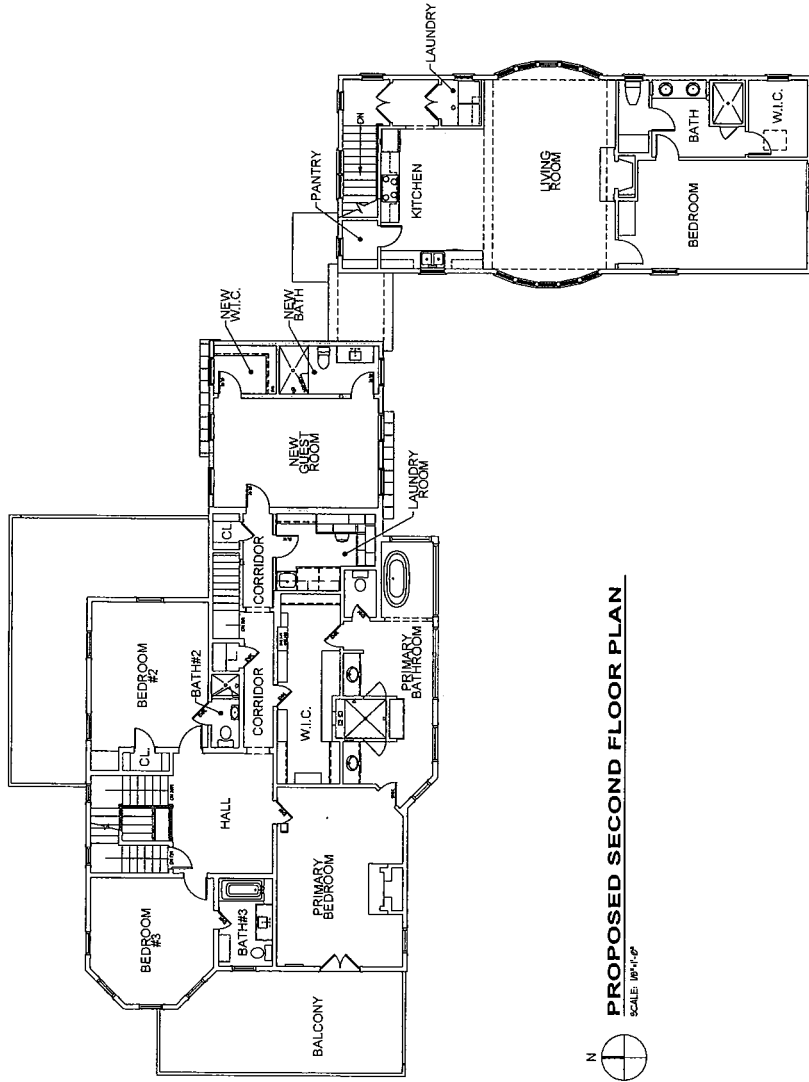
EXISTING THIRD FLOOR PLAN


SCALE: 1/8"=1'-0"



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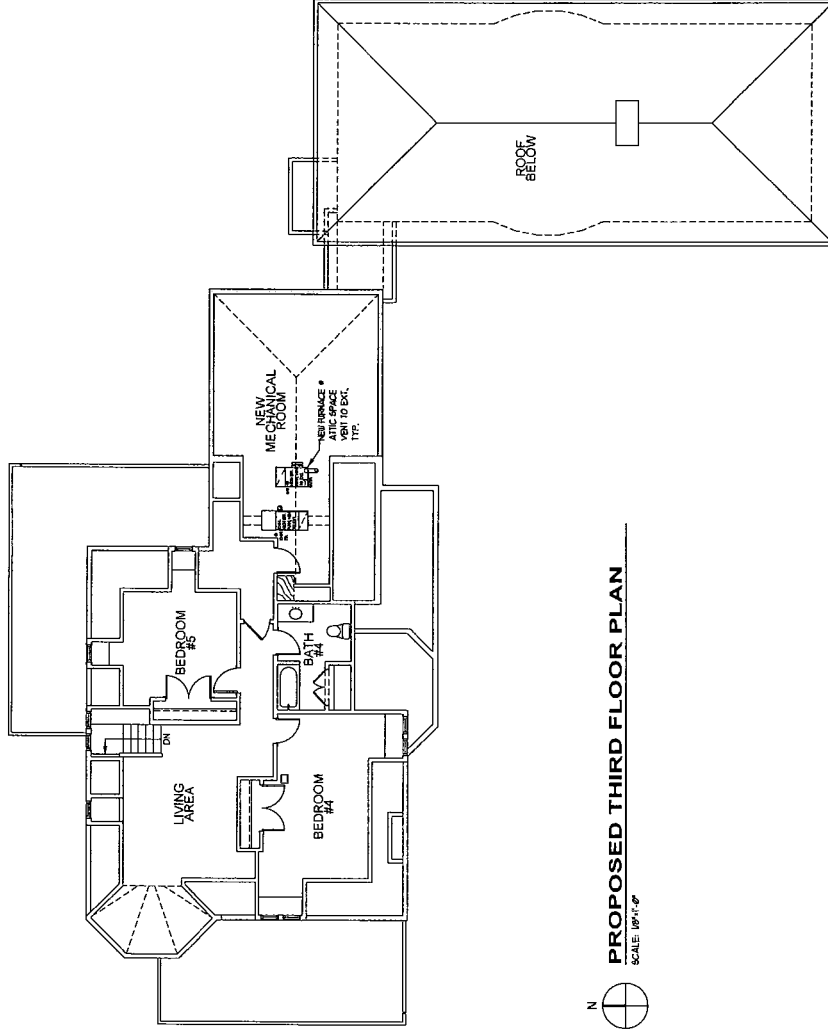


 N
 SCALE 1/8"=1'-0"
PROPOSED SECOND FLOOR PLAN



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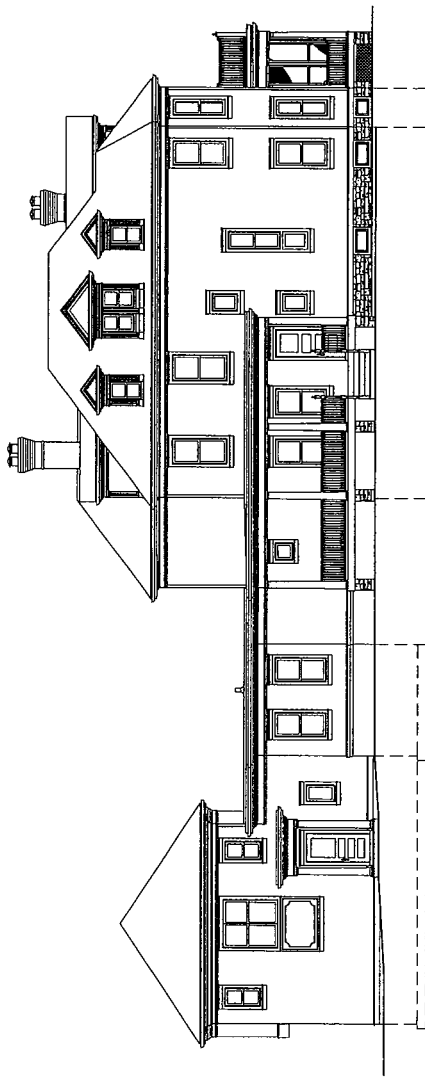
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PROPOSED THIRD FLOOR PLAN
 SCALE 1/8" = 1'-0"

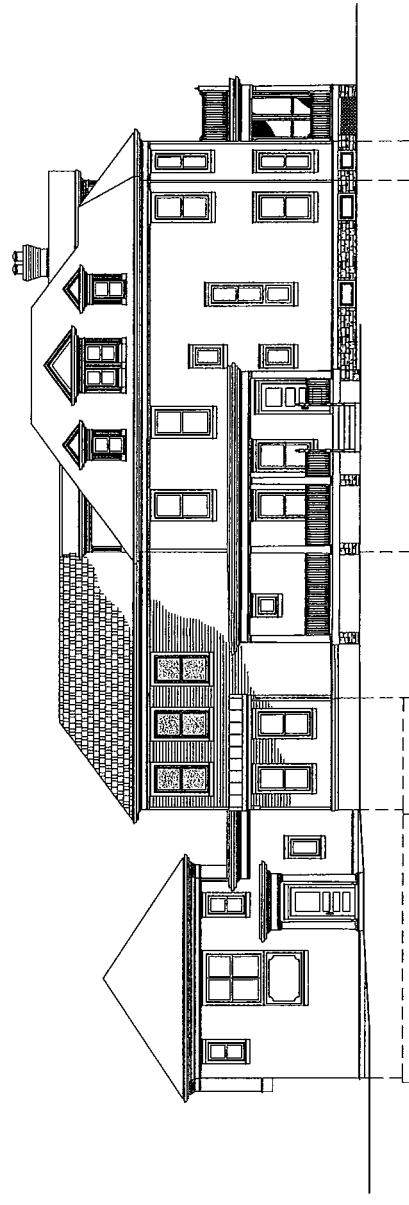
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1 EXISTING NORTH ELEVATION

SCALE: 1/8"=1'-0"



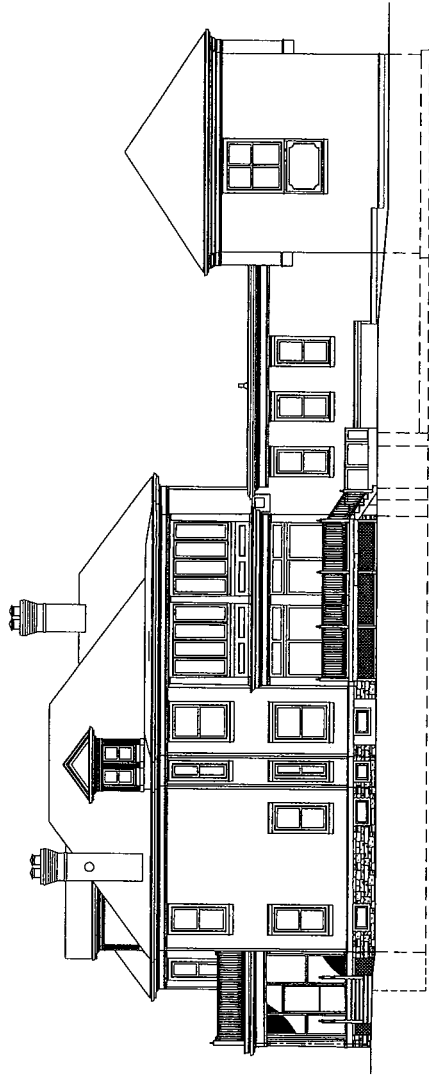
2 PROPOSED NORTH ELEVATION

SCALE: 1/8"=1'-0"

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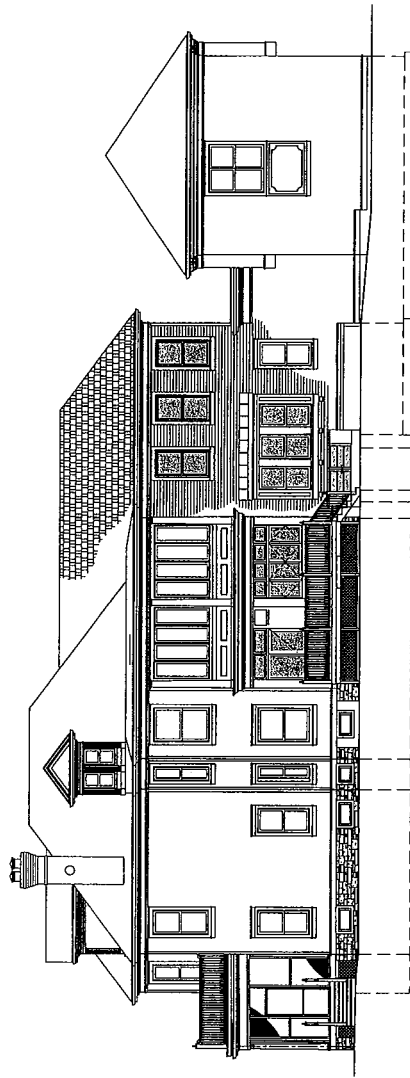


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1 EXISTING SOUTH ELEVATION

SCALE: 1/8"=1'-0"



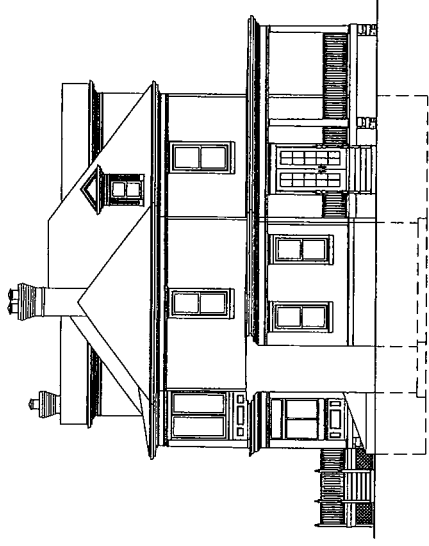
2 PROPOSED SOUTH ELEVATION

SCALE: 1/8"=1'-0"

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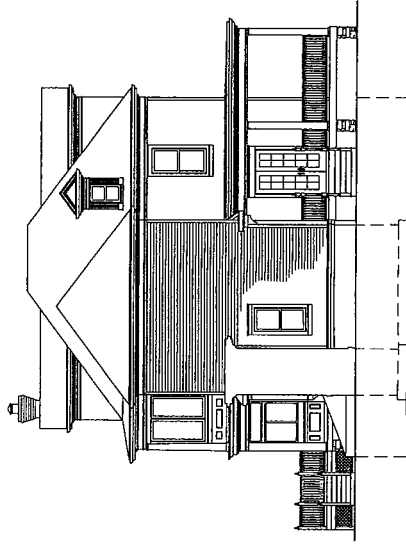


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1 EXISTING EAST ELEVATION

SCALE: 1/8"=1'-0"



2 PROPOSED EAST ELEVATION

SCALE: 1/8"=1'-0"

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