



MEETING AGENDA

ZONING BOARD OF APPEALS
WEDNESDAY, September 21, 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) August 17, 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**
- 8. PUBLIC HEARING**
 - a) V-05-22, 714 South Madison 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
August 17, 2022

Vice-Chairman Keith Giltner called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, August 17, 2022 at 6:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

As Chairman Neiman is unable to attend this meeting in person, Village Clerk Christine Bruton asked for a **motion and a second to appoint Member Keith Giltner Chairman Pro Tem for tonight's proceedings**. So moved by Member Murphy, seconded by Member Moberly. Voice vote taken, all in favor, motion carried.

1. ROLL CALL

Present: Chairman Pro Tem Keith Giltner, Members Gary Moberly, Gannon O'Brien, Tom Murphy, Leslie Lee, John Podliska, and Chairman Bob Neiman (*present electronically*)

Absent: None

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

2. APPROVAL OF MINUTES

a) July 20, 2022

Following changes to the draft minutes, Member Murphy **moved to approve the minutes of June 15, 2022, as amended**. Member Podliska seconded the motion.

Voice vote taken, all in favor, motion carried.

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

4. RECEIPT OF APPEARANCES – None

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

6. PRE-HEARING AND AGENDA SETTING

a) V-05-22, 714 South Madison Street

Mr. Patrick McGinnis, attorney for the homeowners, addressed the Board. He said they are requesting FAR and building coverage relief in order to construct a two-car garage. They need 22.56' square feet of FAR relief and 152.75' square feet of building coverage relief. He noted there was no garage on the property at the time of purchase. They propose to build the smallest two-car garage possible, accessible through the alley. This is comparable to others in the neighborhood.

1 It was confirmed that the Zoning Board does not have final authority on these
2 types of relief, and therefore is a recommendation only to the Village Board of
3 Trustees.

4 Mr. Patrick McGinnis added they would not need a variation for a one-car
5 garage.

6 The public hearing was set for the next meeting of the Zoning Board of Appeals.
7

8 **7. PUBLIC HEARING – None**
9

10 **8. NEW BUSINESS – None**
11

12 **9. OLD BUSINESS**

13 a) **APP-01-22, 110 East Ogden Avenue - Status**

14 Chairman Pro Tem Giltner introduced the item and asked Mr. Robb McGinnis
15 for updates. Mr. McGinnis said thus far there has been no application for a
16 major adjustment. Comments from the Stavers on the new landscape plan
17 were forwarded to the 110 Ogden people. He does not know if any plants have
18 been sourced, or what the planting season might be for any specific species.
19 In terms of the building, he does not believe it will be substantially complete for
20 another 60 days.

21 Ms. Kelly Staver addressed the Board stating they said no to the landscape
22 plan because it did not provide screening. She made it clear they are willing to
23 work with the 110 owners, but they were presented with a plan that didn't
24 provide screening. So they said no. She advised the Board to go back to the
25 March 3, 2020 or March 16, 2020 Board meetings where the 110 owner said,
26 regarding a fence, that there will be a wall of arborvitae that will prevent egress
27 to the residential properties. That is what they want. The 110 owners at that
28 time said the trees would remain. Mrs. Staver said they are asking for 15-20'
29 foot tall plantings, but they won't be picky as long as they provide screening.
30 Mrs. Staver agreed to stay the process an additional 60 days.

31 Member Murphy moved to continue the status for **APP-01-22, 110 East Ogden**
32 **Avenue 60 days until the October meeting of the ZBA.** Member Podliska
33 seconded the motion. Voice vote taken, all in favor, motion carried.
34

35 **10. ADJOURNMENT**

36 With no further business before the Zoning Board of Appeals, Member Podliska
37 made a motion to **adjourn the Zoning Board of Appeals of July 20, 2022.**
38 Member Murphy seconded the motion. Voice vote taken, all in favor, motion
39 carried.
40

41 Chairman Pro Tem Giltner declared the meeting adjourned at 6:46 p.m.
42
43

44 _____
45 Christine M. Bruton
46
47

Approved: _____

8a

MEMORANDUM

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

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

DATE: July 27, 2022

RE: Zoning Variation – V-05-22; 714 S. Madison Street

In this application for variation, the applicant requests relief from the Maximum Floor Area Ratio (FAR) limitations set forth in 3-110(E)(1) and the Maximum Building Coverage limitations set forth in 3-110(F)(1) in order to construct a detached two car garage. The specific request is for 22.56sf. of FAR relief and 152.75sf of Building Coverage relief.

It should be noted that the Zoning Board of Appeals does not have final authority over either of the specific bulk zoning requirements that relief is being sought. As such, it will move on to the Board of Trustees as a recommendation should four affirmative votes be cast.

This property is located in the R-4 Single family Residential District in the Village of Hinsdale and is located on the west side of Madison between 7th and 8th Street. The property has a frontage of approximately 50', an average depth of 125', and a total square footage of approximately 6,250. The maximum FAR is approximately 2,800 square feet, the maximum allowable building coverage is 25% or approximately 1,562.50 square feet, and the maximum lot coverage is 60% or 3,125 square feet.

cc: Kathleen Gargano, Village Manager
Zoning file V-05-22



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): Kevin & Caroline Wolff

Address of Subject Property: 714 S. Madison St., Hinsdale, IL 60521

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

FOR OFFICE USE ONLY

Date Received: CB 7/15/22 Zoning Calendar No. V-05-22

PAYMENT INFORMATION: Check # Check Amount \$

SECTION 1- NAME & CONTACT INFORMATION

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

Name: Kevin & Caroline Wolff

Address: 714 S. Madison St., Hinsdale, IL 60521

Telephone: _____ email: [REDACTED]

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

Name: Kevin & Caroline Wolff

Address: 714 S. Madison St., Hinsdale, IL 60521

Telephone: _____ email: [REDACTED]

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

a. Attorney: Peter Coules, Jr., Donatelli & Coules, Ltd. - peter@donatellcoules.com

b. Engineer: _____

c. Architect: Richard Olsen G.O. Architectural Design, Inc. - richard@goarchitectural.com

d. Contractor: _____

e. Other: _____

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

Name: _____

Address: _____

Telephone: _____ email: _____

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

a. _____

b. _____

SECTION 2- REQUIRED DOCUMENTATION

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

PIN Number: 09-11-415-013

Address: 714 S. Madison 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.)*

See attached.

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

See attached.

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

See attached.

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

(Fence Applications – Section 5)

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

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

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

SECTION 5- STANDARDS FOR VARIATION – FENCES <i>AS SET FORTH IN SECTION 9-12-3(J)</i>

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.

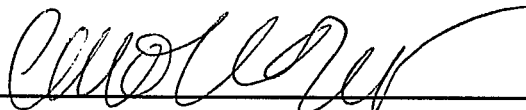
In addition to the data and information required pursuant to any application as herein set forth, every Applicant shall submit such other and additional data, information, or documentation as the Village Manager or any Board of Commission before which its application is pending may deem necessary or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

Signature of Applicant: 

Signature of Applicant: _____

Date: June 17, 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.

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
19 East Chicago Avenue
Hinsdale, Illinois 60521-3489
630.789.7030

Application for Certificate of Zoning Compliance

You must complete all portions of this application. If you think certain information is not applicable, then write "N/A." If you need additional space, then attach separate sheets to this form.

Applicant's name: Kevin & Caroline Wolff

Owner's name (if different): _____

Property address: 714 S. Madison St., Hinsdale, IL 60521

Property legal description: [attach to this form]

Present zoning classification: R-4, Single Family Residential

Square footage of property: 6,250 sq. ft.

Lot area per dwelling: N/A

Lot dimensions: 125 x 50

Current use of property: Residential Property

Proposed use: ☒ Single-family detached dwelling
☐ Other: _____

Approval sought: ☒ Building Permit ☒ Variation
☐ Special Use Permit ☐ Planned Development
☐ Site Plan ☐ Exterior Appearance
☐ Design Review
☐ Other: _____

Brief description of request and proposal:

Variation to construct a 2-car garage

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front:	<u>N/A</u>	<u>N/A</u>
interior side(s)	<u> </u> / <u> </u>	<u> </u> / <u> </u>
	2.50'	2.0

Provided:

Required by Code:

corner side	<u>n/a</u>	<u>n/a</u>
rear (detached garage)	<u>2.50'</u>	<u>2.0'</u>

Setbacks (businesses and offices):

front:	<u>n/a</u>	<u>n/a</u>
interior side(s)	<u>n/a / n/a</u>	<u>n/a / n/a</u>
corner side	<u>n/a</u>	<u>n/a</u>
rear	<u>n/a</u>	<u>n/a</u>
others:	<u>n/a</u>	<u>n/a</u>
Ogden Ave. Center:	<u>n/a</u>	<u>n/a</u>
York Rd. Center:	<u>n/a</u>	<u>n/a</u>
Forest Preserve:	<u>n/a</u>	<u>n/a</u>

Building heights:

principal building(s):	<u>n/a</u>	<u>n/a</u>
accessory building(s):	<u>n/a</u>	<u>n/a</u>

Maximum Elevations:

principal building(s):	<u>n/a</u>	<u>n/a</u>
accessory building(s):	<u>n/a</u>	<u>n/a</u>

Dwelling unit size(s):	<u>N/A</u>
------------------------	------------

Total building coverage:	<u>1,715.25</u>	<u>1,562.50</u>
--------------------------	-----------------	-----------------

Total lot coverage:	<u>2931</u>	<u>3125</u>
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Floor area ratio:	<u>2,822.56</u>	<u>2,800.00</u>
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Accessory building(s): Requesting 1 Garage - 330.75 sq. ft.

Spacing between buildings: [depict on attached plans]

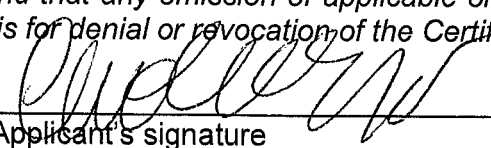
principal building(s):	<u>34.50'</u>	<u> </u>	<u> </u>
accessory building(s):	<u>in between</u>	<u> </u>	<u> </u>

Number of off-street parking spaces required: n/a

Number of loading spaces required: n/a

Statement of applicant:

I swear/affirm that the information provided in this form is true and complete. I understand that any omission of applicable or relevant information from this form could be a basis for denial or revocation of the Certificate of Zoning Compliance.

By: 
Applicant's signature

Kevin & Caroline Wolff
Applicant's printed name

Dated: June 17, 2022.

EXHIBIT A

**Legal Description: LOTS 6 AND 7 IN THE RESUBDIVISION OF BLOCK 24 IN STOUGH'S
SECOND ADDITION TO HINSDALE, BEING A SUBDIVISION IN THE EAST 1/2 OF
SECTION 11, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF
RECORDED MAY 11, 1875, AS DOCUMENT #20005, IN DU PAGE COUNTY, ILLINOIS.**

Permanent Index Number(s): 09-11-415-013

Property Address: 714 S. Madison St., Hinsdale, IL 60521

SECTION 2 – REQUIRED DOCUMENTATION

5. EXISTING ZONING

The subject property is located within the R-4 Single Family Residential District within the Village of Hinsdale.

6. STATEMENT OF CONFORMITY

The subject property is located within the R-4 Single Family Residential District within the Village. The Applicant seeks a variance pursuant to Section 11-503(E)(1)(c), which is a permitted variation in the R-4 Single Family Residential District. Therefore, granting the requested variations on the subject property would be in conformity with the Official Map and permissible under the Code.

SECTION 3- ZONING RELIEF REQUESTED

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

Sec. 3-110 (E)(1) – Maximum Floor Area Ratio

Sec. 3-110 (F)(1) – Maximum Building Coverage

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:*

The Applicants are seeking a variation in order to build a two-car garage on the Property. The Property has never had a garage and only ever had a parking pad, pursuant to historical records.

The current house has Building Coverage of 1,384.50 sq. ft. and a floor area ratio (F.A.R.) of 2,602.06 sq. ft. With the addition of the size of the garage, the new Building Coverage would be 1,715.25 sq. ft. and the F.A.R. would be 2,822.56.

The Applicant seeks a variation for the maximum building coverage requirements, to allow Building Coverage of 1,715.25 sq. ft., which would exceed the maximum allowable Building Coverage by 152.75 sq. ft. or roughly 9.77%.

The applicant also seeks a variation for the maximum F.A.R. requirements, to allow an F.A.R. of 2,822.56, which would exceed the maximum allowable F.A.R. by 22.56 or roughly 0.8%.

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:*

Applicant is seeking the minimum variation necessary to the requirements for Building Coverage and F.A.R. for the property in order to put in the smallest two-car garage available. Applicant is not seeking any additional variations beyond what is necessary to build the minimum size required for a two car garage.

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

(a) **Unique Physical Conditions.**

The unique physical conditions of the subject property are the existing structure was built prior to the Applicant purchasing the property and was built without a garage.

(b) **Not-Self Created.**

The Applicant purchased the property after the home was built on the property and did not create the conditions which require a variance to build the smallest two-car garage available on the lot.

(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, as there are numerous other properties with similar sized lots which have two-car garages. Without the variation, the Applicant would only be able to build a one-car garage, which has been found to be a hardship.

Further, Section 10-104(B)(6) of the Code provides that residents of the Village have the right, with certain criteria being met, to demolish and replace a garage with a new two-car garage. However, as no garage is being demolished on this property, this provision is not specifically applicable, but does show the substantial right of residents of the Village to the building of such garages.

(d) **Not Merely Special Privilege.**

The Applicant is not seeking a special privilege in seeking the variance as many other properties have a two-car garage and the small variation would provide them with that similar right.

(e) **Code and Plan Purposes.**

The Code and building requirements are intended to help preserve the housing types and residential character of the Village. The proposed variance would not affect either of those intended purposes and would allow the Applicants to add a two-car garage, similar to many surrounding properties.

(f) **Essential Character of the Area.**

The variance sought by the Applicant would not have a detrimental effect on the essential character of the area or have a negative effect on the public welfare. Rather, the proposed variance will allow the Applicant to develop the property in a manner that is consistent with the essential character of the area, as Applicant will be adding a two-car garage to the single family residence on the property, similar to most properties in the area. This will allow the Applicants to park their cars overnight in the garage, rather than out in the open, which would benefit the character of the neighborhood.

(g) **No Other Remedy.**

There is not another remedy which would allow the Applicant to add a two-car garage to the property as they are already seeking the smallest two-car garage available. Without the variation, the Applicant would only be able to build a one-car garage, which has been proven to be a hardship.

Saturn Title LLC
1923885

101

AFTER RECORDING, MAIL TO:

SATURN TITLE, LLC
1030 W. HIGGINS RD.
SUITE 365
PARK RIDGE, IL 60068



09/12/2019
11:40:00 AM

FRED SCHULTZ, RECORDER

DUPAGE COUNTY, ILLINOIS

09/10/2019 09:12 AM

FILED

COUNTY CLERK STAMP FEE \$10.00

STATE TAX CLERK FEE \$10.00

RECEIVED 9/12/2019

Warranty Deed
Statutory (Illinois)

THE GRANTOR(S), Scott Thomas Sayers, as Trustee under the Trust Agreement dated the 13th day of May, 2002 and known as Trust NO. 101, 714 S. Madison St. of the City of Hinsdale, State of IL, for and in consideration of Ten Dollars (\$10.00) and other good and valuable considerations, in hand paid, CONVEY AND WARRANT to Kevin ~~Wolff~~ and Caroline Wolff, a married couple of 175 N. Harbor Dr., Unit 1613, Chicago, IL 60601, F.

☐ NOT AS TENANTS IN COMMON BUT AS JOINT TENANTS

☐ NOT AS JOINT TENANTS BUT AS TENANTS IN COMMON

☒ NOT AS JOINT TENANTS AND NOT AS TENANTS IN COMMON BUT AS TENANTS BY THE ENTIRETY

all interest in the following described real estate (together with any improvements thereon) (collectively, the "Property") situated in the County of Du Page, State of Illinois, to wit:

See Attached Exhibit A

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemptions Laws of the State of Illinois.

Subject, however, to the general taxes for the year of 2019 and thereafter, to all instruments, covenants, restrictions, conditions, exceptions and liens of record, and subject to the rights or claims of parties in possession under recorded leases, applicable zoning laws, ordinances, regulations or subdivision indentures, and any facts or exceptions which an accurate survey or inspection of the above described Property would show.

Permanent Index Number(s): 09-11-415-013

Property Address: 714 S. Madison St., Hinsdale, IL 60521

Dated this 5th day of September, 2019.

Scott Thomas Sayers, as Trustee under the
Trust Agreement dated the 13th day of
May, 2002 and known as Trust NO. 101

Scott Thomas Sayers, as Trustee
By

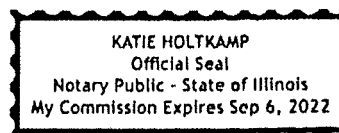
STATE OF ILLINOIS)
COUNTY OF Cook) SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Scott Thomas Sayers, as Trustee under the Trust Agreement dated the 13th day of May, 2002 and known as Trust NO. 101, 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 notarial seal, this 5th day of September, 2019.

Katie Holtkamp
Notary Public

My commission expires: 9/6/2022



THIS DOCUMENT PREPARED BY:

Kelly A. Schnoor
6945 W. Hobart
Chicago, IL 60631

MAIL TAX BILL TO:

Kevin Wolff and Caroline Wolff
175 N. Harbor Dr., Unit 1613
Chicago, IL 60601

MAIL RECORDED DEED TO:

~~Kevin Wolff and Caroline Wolff~~
~~175 N. Harbor Dr., Unit 1613~~
~~Chicago, IL 60601~~

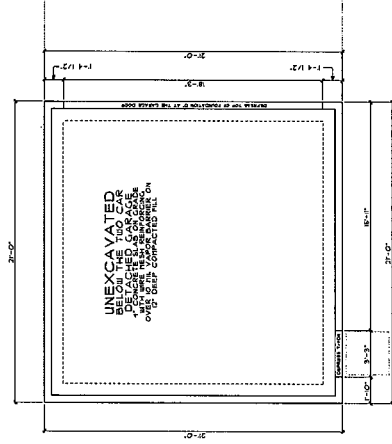
~~Heather Nevea~~
~~303 W Madison #2300~~
~~Chicago IL 60606~~

EXHIBIT A

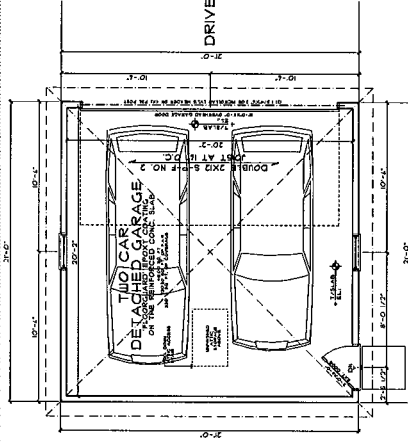
**Legal Description: LOTS 6 AND 7 IN THE RESUBDIVISION OF BLOCK 24 IN STOUGH'S
SECOND ADDITION TO HINSDALE, BEING A SUBDIVISION IN THE EAST 1/2 OF
SECTION 11, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF
RECORDED MAY 11, 1875, AS DOCUMENT #20005, IN DU PAGE COUNTY, ILLINOIS.**

Permanent Index Number(s): 09-11-415-013

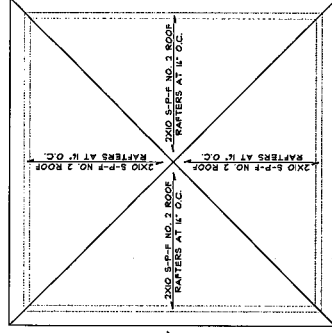
Property Address: 714 S. Madison St., Hinsdale, IL 60521



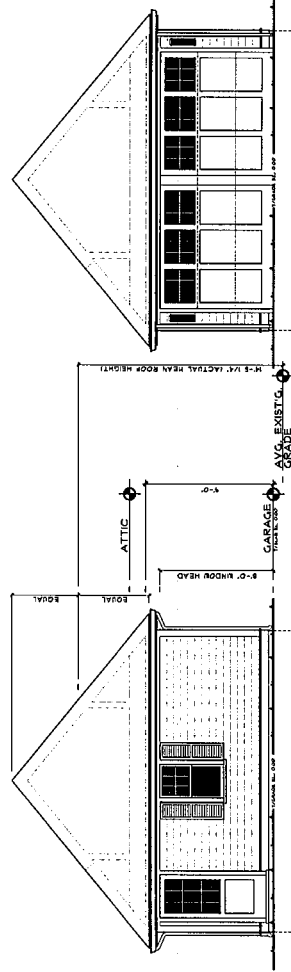
A FOUNDATION PLAN
SCALE: 1/4"=1'-0"



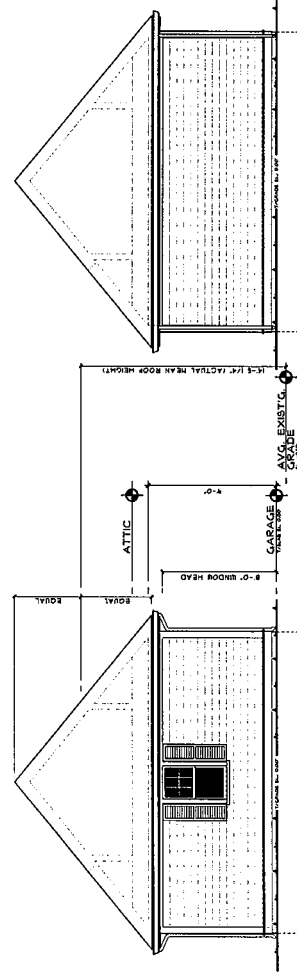
B FIRST FLOOR PLAN
SCALE: 1/4"=1'-0"



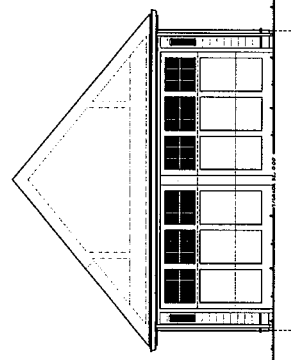
C ROOF PLAN
SCALE: 1/4"=1'-0"



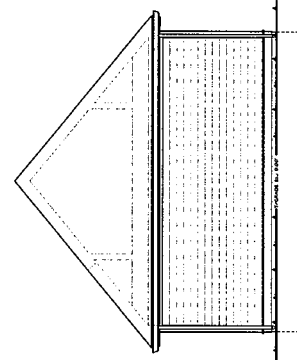
D EAST ELEVATION
SCALE: 1/4"=1'-0"



F WEST ELEVATION
SCALE: 1/4"=1'-0"

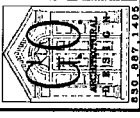


E NORTH ELEVATION
SCALE: 1/4"=1'-0"



G SOUTH ELEVATION
SCALE: 1/4"=1'-0"

H SITE PLAN
SCALE: 1/8"=1'-0"



DETACHED GARAGE
PLANS, ELEVATIONS
AND SITE PLAN

DATE: FEBRUARY 21, 2021
DRAWN BY: RICHARD OLSEN
CHECKED BY: RICHARD OLSEN
DATE: 2/21/21
OWNER REVIEW

CAROLINE HONSA AND
KEVIN WOLFE
114 MADISON ST.
HINSDALE, ILLINOIS

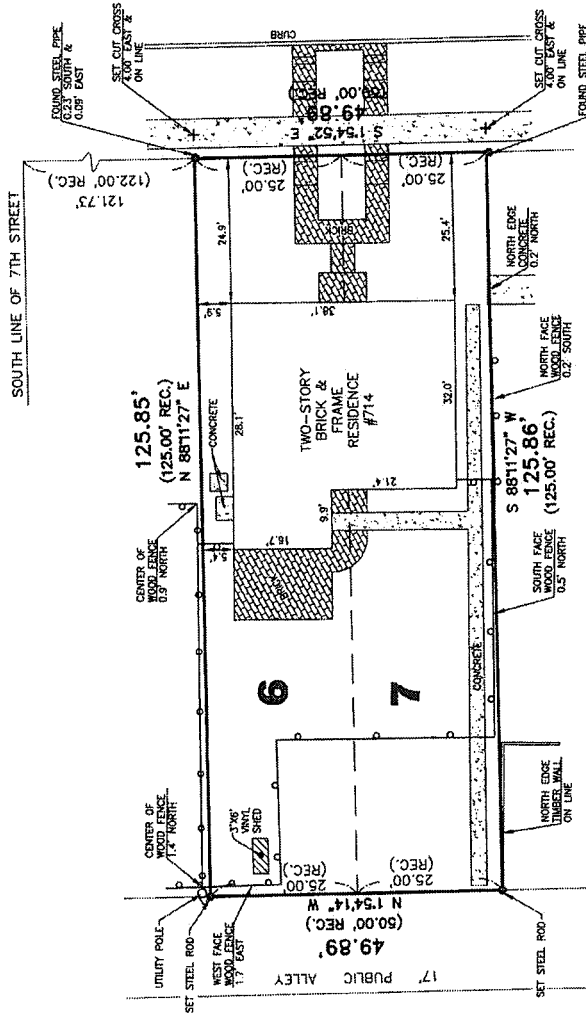
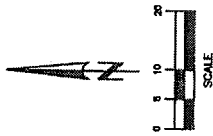


EXPIRES: 1/30/22
SHEET: A.1

MADISON STREET

PLAT OF SURVEY

LOTS 6 AND 7 IN THE RESUBDIVISION OF BLOCK 24 IN STOUGH'S SECOND ADDITION TO HINSDALE, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 11, 1875, AS DOCUMENT NUMBER 20005, IN DUPAGE COUNTY, ILLINOIS.



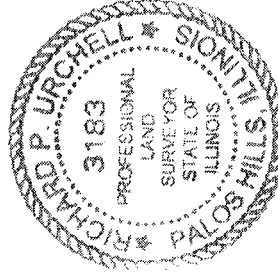
PREPARED FOR: KAYLA GELSONIMO

LANDMARK

ENGINEERING LLC
DESIGN FIRM REGISTRATION NO. 184-005077
7808 W. 103RD STREET
PALOS HILLS, ILLINOIS 60465-1529
Phone (708) 588-0757

BEARINGS SHOWN HEREON (IF ANY) ARE BASED ON ILL. S.P.C. EAST ZONE, NAD83. NO IMPROVEMENTS SHOULD BE CONSTRUCTED ON THE BASIS OF THIS PLAT ALONE AND NO DIMENSIONS, LENGTHS OR WIDTHS SHOULD BE ASSUMED FROM SCALING. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF CONSTRUCTION.

FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO DEEDS, ABSTRACTS, TITLE POLICIES, SEARCHES OR COMMITMENTS, DOCUMENTS, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.



SUBJECT PROPERTY AREA
6,279 SQ. FT. (more or less)

FIELD WORK COMPLETED: 6/17/19
THIS PROFESSIONAL SERVICE CONFORMS TO THE
CURRENT ILLINOIS STANDARDS FOR A BOUNDARY SURVEY.
DATED: 6/18/19

Richard P. Urchell

RICHARD P. URCHELL LP.L.S. No. 3183
LICENSE RENEWAL DATE: NOVEMBER 30, 2020
SURVEY No. 19-06-065