

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
JULY 14, 2010
MEMORIAL HALL
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:30 p.m., Wednesday, July 14, 2010 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman Byrnes, Commissioner Stifflear, Commissioner Crnovich, Commissioner Sullins, Commissioner Kluchenek, Commissioner Moore and Commissioner Nelson

ABSENT: Commissioner Brody and Commissioner Johnson

ALSO PRESENT: Sean Gascoigne, Village Planner

Approval of Minutes

The Plan Commission reviewed the minutes from the June 9th, 2010 meeting. Commissioner Nelson motioned to approve the minutes of June 9th, 2010. Commissioner Moore seconded. The motion passed unanimously.

Findings and Recommendations

A-03-2010 – 11-17 W. Maple Street (Unitarian Church) – Exterior Appearance/ Site Plan Review Approval for a New Patio Along Maple Avenue.

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Chairman Byrnes summarized the Commission's discussion from the June 9th meeting. Commissioner Moore motioned to approve the findings and recommendations for case A-03-2010 – 11-17 W. Maple Street (Unitarian Church) – Exterior Appearance/Site Plan Review Approval for a New Patio Along Maple Avenue. Commissioner Nelson seconded. The motion passed unanimously.

A-08-2010 – 920 N. York Rd. – PNC Bank – Signage in the Design Review Overlay District.

Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner Crnovich motioned to approve the findings and recommendations for case A-08-2010 – 920 N. York Road (PNC Bank) – Signage in the Design Review Overlay District. Commissioner Nelson seconded. The motion passed unanimously.

Scheduling of Public Hearings

A-13-2010 – John Weinberger/Continental Motors – Special Use Permit for a Planned Development and Exterior Appearance/Site Plan Review approval for Façade Improvements to the Existing Car Dealership.

Chairman Byrnes stated the public hearing would be scheduled for September 8, 2010.

A-17-2010 – Village of Hinsdale - Text Amendment to Provide Limited Authority to the Village Board for Variations.

Chairman Byrnes stated the public hearing would be scheduled for September 8, 2010.

Sign Permit Review

48 S. Washington – M Homes Design – One Wall Sign

Mr. Gascoigne state that the applicant was aware of the meeting and that it was the Plan Commission's discretion as to whether they wanted to continue without the applicant present. He then went on to explain why the sign was coming back in front of them even though it was technically approved as part of the Exterior Appearance approval on a previous date. Commissioner Kluchenek motioned for the approval of signage for 48 S. Washington Street – M Homes Design – One Wall Sign. Commissioner Nelson seconded. The motion passed unanimously.

Exterior Appearance/Site Plan Review

18-20 E. First Street (Nabuki) – Peter Burdi – Façade Improvements for a New Restaurant

Chairman Byrnes introduced the case and asked if the applicant was present. Peter Burdi, applicant and owner of the proposed restaurant, summarized the request. Commissioner Moore expressed some concerns that arose with IL Poggiolo regarding the vestibule. Mr. Burdi indicated that conditions for this building were not the same as IL Poggiolo and that this site actually has a permanent indoor vestibule where patrons can gather. Discussion ensued regarding the specifics of the project and the materials proposed. Commissioner Moore confirmed the projection and clearance of the proposed awning with the project's architect who confirmed that the requirements were met in both aspects.

Commissioner Kluchenek motioned for the approval of Exterior Appearance for the Façade Improvements for a New Restaurant at 18- 20 E. First Street (Nabuki). Commissioner Nelson seconded. The motion passed unanimously.

Commissioner Stifflear motioned to disapprove the Site Plan for the Façade Improvements for a New Restaurant at 18- 20 E. First Street (Nabuki). Commissioner Kluchenek seconded. The motion failed unanimously and the site plan was approved.

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Public Hearings

A-03-2010 – 11-17 W. Maple Street (Unitarian Church) – Special Use Permit for a Planned Development.

Chairman Byrnes opened the public hearing for case A-03-2010. Chairman Byrnes summarized the request for the Commissioners and the audience and explained how the approvals for Exterior Appearance/Site Plan Review were separated from the request for a Special Use for a Planned Development. He confirmed that all the Commissioners that were not present for the public hearing in June had read the transcripts. All Commissioners confirmed they had. Charles Fischer RLA, Landscape Architect and member of the Unitarian Church introduced himself as representative for the Unitarian Church and further summarized the request. He then introduced David Lloyd, President of the Unitarian Church of Hinsdale, who addressed why the applicant chose to pursue the Planned Development rather than a Variation request.

Chairman Byrnes questioned what the plans for the religious education center were. Mr. Lloyd identified that Head Start was a long time tenant but due to budget cuts, they will have to move out. He indicated that they were looking for a similar type use to fill that vacancy because he understands the need for it to be non-profit use. He also indicated that the church was aware of the Special Use that Head Start was required to obtain and understood that any future tenant would also be required to obtain a Special Use approval.

Mr. Byrnes asked Mr. Lloyd if they had any plans to expand. Mr. Lloyd indicated that they had no desire at this time to expand any of the buildings. Chairman Byrnes identified other locations on the church's property where the landscape feature could be located without the need of a Planned Development or a Variation. Mr. Lloyd confirmed but indicated that they have several functions throughout the year that utilize other areas of the property and make the proposed location more ideal.

Commissioner Moore posed additional questions in regards to the exact location of the landscape feature, its proximity to the sidewalk and some of the materials to be used for it. Mr. Fischer responded to Commissioner Moore's concerns.

As a result of Mr. Fischer's response, Commissioner Moore expressed concern with drainage. Mr. Fischer responded and satisfied any concerns Commissioner Moore had.

Commissioner Crnovich questioned an alternative location and Mr. Lloyd and Mr. Fischer again identified why they would prefer the proposed location.

Bill Haarlow, resident and Chairman of the Zoning Board of Appeals, identified himself and identified his concerns with the applicant's request and expressed his objection to the request stating that the request being made at this time is not appropriate for the degree of work that is proposed to be completed. Mr. Haarlow then stated that his concerns and objections are based on the same reasons he provided in June and summarized what those reasons were.

Commissioner Kluchenek asked Mr. Haarlow how what was being requested would fit under the jurisdiction of the ZBA.

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Mr. Haarlow indicated that this is a setback issue and that the ZBA would be the appropriate Commission to address setback issues.

Commissioner Kluchenek then asked if Mr. Haarlow felt that requests like these should have some jurisdictional overlap or if he felt the ZBA had exclusive jurisdiction over cases like these.

Mr. Haarlow indicated that it depended on the particular case, but in this instance he felt that specific sections of the code were being violated that would normally give the Plan Commission the jurisdiction to take action on the request.

Commissioner Kluchenek asked Village Planner Gascoigne whether the Plan Commission was the appropriate body and even had the jurisdiction to hear this case.

Mr. Gascoigne indicated that the applicant certainly has the right to request waivers such as these as part of a Planned Development, but it is the discretion of the Plan Commission as to whether or not the requested waivers are appropriate within the scope of the Planned Development proposal.

Commissioner Kluchenek indicated he is still trying to analyze who should have the jurisdiction to hear the request and whether the Plan Commission is able to hear it.

Chairman Byrnes acknowledged the points brought forward by Commissioner Kluchenek and Mr. Haarlow.

Commissioner Kluchenek generally questioned if anyone knew of a situation such as this where a Planned Development was approved retroactively to approve several existing conditions.

Discussion ensued and the Commissioners identified several other churches that were Planned Developments but that they could not think of any that did not do major renovations as part of the PD request.

The Commission discussed what they felt was the standard for a Planned Development request and were generally in agreement that the Unitarian Church had not satisfied what should be considered to request a PD.

Mr. Haarlow addressed some final thoughts before the Plan Commission deliberated.

Mr. Fischer offered additional thoughts on the conversation and indicated that he felt based on the request, the Commission does in fact have the authority to hear and vote on the request.

Commissioner Crnovich offered her thoughts on Planned Developments and indicated that she felt the request in front was more appropriate to be heard by the ZBA.

Chairman Byrnes summarized his thoughts and generally agreed. He then opened the discussion up to the other Commissioners. Discussion ensued and the Commission generally agreed that the landscape feature was a beautiful addition to the church, but that the proposal

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currently being requested by the applicant does not merit a request for a Planned Development and should be heard by the Zoning Board of Appeals.

Mr. Fischer offered some final thoughts and thanked the Commission.

Chairman Byrnes asked if there was any additional business to discuss.

Mr. Gascoigne indicated that either the applicant had to formally withdrawal the application or that a vote needed to be made.

Chairman Byrnes explained that he felt that the Plan Commission did not have the appropriate jurisdiction to take a vote.

Mr. Gascoigne indicated that while the Plan Commission may agree that the request does not merit a Planned Development, they may certainly use there discretion to recommend for the denial of the project on that basis, but that he felt they still needed to take a vote. He explained that he would be happy to get a position from the Village's attorney if that was the direction provided. He went on to state that the applicant had legally filed an application for the Planned Development and while the Plan Commission may feel justified in their position as to whether the standards have been met for a Planned Development or not, it is a subjective set of standards and their position should be memorialized in a vote and used to recommend the denial of the request if that is the recommended path.

Discussion ensued regarding the options the applicant had and whether a vote was necessary if the applicant chose to withdraw the application.

Mr. Gascoigne confirmed that if the application was withdrawn a vote was not necessary, but a decision by the church to pursue the PD after the withdrawal would result in them starting over from square one.

Mr. Lloyd offered his position and indicated that while it seemed unanimous amongst the Commission that this request was not an appropriate Plan Development, there was a Planned Development application submitted and that he felt they certainly had the jurisdiction to vote on the matter even if the vote was "no". He then identified that based on the circumstances that that was his preferred choice rather than withdrawing the application.

Discussion ensued and the Commission deliberated. Commissioners Moore and Nelson identified their comfort in taking a vote and Chairman Byrnes indicated that in an effort to keep things moving, he would ask for a motion.

Commissioner Nelson motioned for the approval of a Special Use for a Planned Development for the Unitarian Church. Commissioner Moore seconded. The motion failed unanimously and the Planned Development was denied.

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A-09-2010 – Village of Hinsdale – Text Amendment to Section 5-110G as it relates to existing non-conforming structures in the B-2, Central Business District.

Chairman Byrnes opened the public hearing for case A-09-2010. Mr. Gascoigne summarized the request and opened it up for public discussion.

Discussion ensued regarding the text amendment. The Commission generally supported the amendment but agreed that they would like to see the language in the context of an ordinance before acting on it.

Commissioner Moore motioned to continue public hearing A-09-2010 until September 14th, when a draft ordinance can be provided to the Commission. Commissioner Sullins seconded.

Discussion ensued regarding the language in the amendment. Commissioner Kluchenek expressed his interest in going on the record as unofficially supporting the text amendment, but thought it would be beneficial to see everything in the context of the ordinance before taking a vote.

Commissioner Moore again motioned to continue public hearing A-09-2010 until September 14th, when a draft ordinance can be provided to the Commission. Commissioner Sullins seconded.

The motion passed unanimously.

Adjournment

Commissioner Kluchenek moved to adjourn. Commissioner Nelson seconded and the meeting adjourned at 8:40 p.m. on July 14, 2010.

Respectfully Submitted,

Sean Gascoigne
Village Planner

HINSDALE PLAN COMMISSION

RE: 18-20 East First Street – Peter Burdi - Exterior Appearance and Site Plan Review

DATE OF PLAN COMMISSION REVIEW: July 14, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: July 26, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. Peter Burdi, (the “Applicant”) submitted an application to the Village of Hinsdale for the property located at 18-20 East First Street (the “Subject Property”).
2. The Subject Property is zoned in the B-2 Central Business District and improved with a one-story commercial building.
3. The applicant is seeking approval exterior appearance and site plan review approval for exterior façade changes including the installation of an existing cloth awning, with signage, over the windows and entrance.
4. The applicant is proposing several changes to the existing building façade, with the major changes being the application of a new façade treatment above the existing windows; aforementioned façade treatment and existing vertical piers at both ends of the tenant space, to be painted white; horizontal mullions to be placed in the existing windows and all window treatments and surrounds to be painted black and removal/relocation of the existing entrance to the west end of the tenant space.
5. The applicant is also proposing to install a new black awning to run the length of the tenant space, including signage on the valance, for the restaurant.
6. The Plan Commission finds that the plan submitted by the Applicant complies with the applicable bulk, space and yard requirements of the Hinsdale Zoning Code.
7. The Plan Commission finds that the application complies with the standards set forth in Section 11-606 of the Hinsdale Zoning Code pertaining to the exterior appearance review.
8. The Plan Commission finds that the plan submitted by the Applicant complies with the standards set forth in Section 11-604 of the Zoning Code governing site plan review. There are no changes proposed to the site plan.

II. RECOMMENDATION


The Village of Hinsdale Plan Commission, on a vote of 7 "Ayes," 0 "Nays," 2 "Absent" recommends that the President and Board of Trustees of the Village of Hinsdale approve the exterior appearance/site plans with related signage at 18-20 East First Street.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2010.

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: September 8, 2010
Re: Scheduling Public Hearing for Case A-25-2010
Applicant: Inland Commercial Property Management
Location: 777 N. York Road – Gateway Square
Request: Design Review Permit for Exterior Improvements

The petitioner is requesting design review approval to allow for the installation of a covered stairway on the roof of the tenant space at 777 N. York Road. The space currently contains a usable rooftop which the applicant would like to utilize as a part of the proposed restaurant use. The rooftop has been used in the past by tenants, but due to changes in the current building codes, the rooftop requires a second means of egress from the roof to the lower levels. Beyond requiring the second means of egress, the building code also requires that the egress be “protected from the elements” which requires the stairway to be covered and enclosed. Due to these requirements, the applicant is obligated to obtain design review approval because it would be visible from the street. The tenant space is located within Gateway Square which is located in the B-1 Community Business District. As illustrated in the attached drawings, the petitioner proposes to match the architecture and materials already used within the shopping center. The building is located on the east side of York Road, just south of Ogden, and is located within the “Historic Graue Mill Gateway” Design Overlay District, which requires a public hearing for any exterior alteration to the property. Article VIII of the Zoning Code provides information regarding the purpose of the district and Section 11-605 provides additional information for procedures and review criteria.

It is requested that the public hearing be scheduled for October 13, 2010.

Attachment

Cc: President Cauley and Village Board of Trustees

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: Inland Commercial Property Management

Owner's name (if different): Same as above

Property address: 777 N. York Rd

Property legal description: [attach to this form]

Present zoning classification: B-1 Retail / Restaurant

Square footage of property: 161,172

Lot area per dwelling: _____

Lot dimensions: NORTH 125', WIDTH 431', SOUTH 474'

Current use of property: RETAIL/RESTAURANT

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

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

Brief description of request and proposal:

NEW STAIR ADDITION 168 SQ FT OF THE TWO STORY PORTION OF
EXISTING SHOPPING CENTER

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front:	<u> </u>	<u>N/A</u>
interior side(s)	<u>1</u>	<u>N/A</u>

Provided:

Required by Code:

corner side
rear

N/A
N/A

Setbacks (businesses and offices):

front: Existing
Interior side(s)
corner side
rear
others:
Ogden Ave. Center:
York Rd. Center:
Forest Preserve:

25'
10' / 10'
25'
20'

Building heights:

principal building(s): 26'-7"
accessory building(s): N/A

30'
N/A

Maximum Elevations:

principal building(s): 26'-7"
accessory building(s): N/A

30'
N/A

Dwelling unit size(s): N/A

N/A

Total building coverage:

56,410

Total lot coverage: N/A

N/A

Floor area ratio: 0.25

0.35

Accessory building(s):

Spacing between buildings: [depict on attached plans]

principal building(s): N/A
accessory building(s): N/A

Number of off-street parking spaces required: Existing

Number of loading spaces required: Existing

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

ENRIQUE CASTEL
Applicant's printed name

Dated: 9/1, 2010.

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in the Plan Commission File for 777 N. York Road (A-25-2010) – Gateway Square regarding Design Review Permit in 2010, for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

Inland Commercial Property Management

Address or description of subject property:

777 N. York Road, Hinsdale, IL 60521

Use or proposal for subject property for which certificate is issued:

Installation of a new covered stairway to access rooftop

Plans reviewed, if any: *See attached plans, if any.* - See Plan Commission File for 777 N. York Road (A-25-2010) – Gateway Square, regarding Design Review Permit in 2010.

Conditions of approval of this certificate:

The Board of Trustee's adopt an Ordinance that grants the following requests:

- Section 11-606 of the Hinsdale Zoning Code pertaining to the Exterior Appearance Review.
- Section 11-605 of the Hinsdale Zoning Code pertaining to the Design Review Permit.
- Section 11-604 of the Zoning Code governing Exterior Appearance/Site Plan Review.

Note: other conditions may be attached to approval of any pending zoning application.

NOTE ALL OF THE FOLLOWING CAREFULLY:

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Village's understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.

This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.

By:


Village Manager

Dated:

9/2, 2010



**VILLAGE
OF HINSDALE**

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant

Name: Inland Commercial Property Management

Address: 2901 Butterfield Rd

City/Zip: Oakbrook, IL 60523

Phone/Fax: (630) 218-5262 / 218-5270

E-Mail: lev@inlandrealestate.com

Owner

Name: Same as applicant

Address: _____

City/Zip: _____

Phone/Fax: () _____ / _____

E-Mail: _____

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name: Enrique Castel - JTS Architects

Title: Associate

Address: 450 E. Higgins Rd, Suite 202

City/Zip: Elk Grove Village, IL 60007

Phone/Fax: (847) 952-9970 / 952-9974

E-Mail: enriquecastel@jtsarch.com

Name: _____

Title: _____

Address: _____

City/Zip: _____

Phone/Fax: () _____ / _____

E-Mail: _____

Disclosure of Village Personnel: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)

- 1) _____
- 2) _____
- 3) _____

II. SITE INFORMATION

Address of subject property: 777 N. York Rd

Property identification number (P.I.N. or tax number): 09 - 01 - 209 - 007

Brief description of proposed project: A new 168 sq ft exit staircase addition on the exterior of
the two story portion of the existing shopping center at the above address

General description or characteristics of the site: There are two existing one story masonry retail
buildings with central courtyard. The parking lot is located just south of the building

Existing zoning and land use: B-1 Retail/Restaurant

Surrounding zoning and existing land uses:

North: B-3 Gas Station

South: R-4 Residential

East: R-4 Residential

West: O-2 Office/Retail buildings

Proposed zoning and land use: No Changes

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☒ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested: _____

☐ Map and Text Amendments 11-601E
Amendment Requested: _____

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business
District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 777 N. York Rd

The following table is based on the B-1 Zoning District.

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	161,172
Minimum Lot Depth	125'	125'	125'	North 275' / South 474'
Minimum Lot Width	50'	20'	50'	431'
Building Height	30'	35'	30'	26'-7"
Number of Stories	2	3	2	2
Front Yard Setback	25'	0'	25'	SEE ATTACHED SURVEY
Corner Side Yard Setback	25'	0'	25'	"
Interior Side Yard Setback	10'	0'	10'	"
Rear Yard Setback	20'	20'	20'	"
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	40,338/161,172 = 0.25 Orig bldgs 40,170 sq ft
Maximum Total Building Coverage*	N/A	80%	N/A	N/A
Maximum Total Lot Coverage*	90%	100%	90%	137,740/161,172 = 85.5%
Parking Requirements				9'-0" x 18'-0"
Parking front yard setback				SEE ATTACHED SURVEY
Parking corner side yard setback				"
Parking interior side yard setback				"
Parking rear yard setback				"
Loading Requirements				"
Accessory Structure Information (height)	15'	15'	15'	

* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: _____

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE 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 SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 12th day of AUGUST, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

Enrique Castel (AGENT)
Signature of applicant or authorized agent

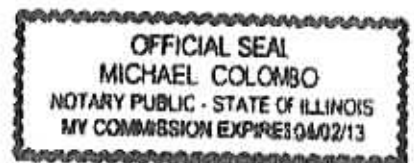
ENRIQUE CASTEL (AGENT)
Name of applicant or authorized agent

Signature of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 12 day of
August, 2010.

Michael Colombo
Notary Public





VILLAGE OF HINSDALE

COMMUNITY DEVELOPMENT DEPARTMENT EXTERIOR APPEARANCE AND SITE PLAN REVIEW CRITERIA

Address of proposed request: 777 N. YORK RD

REVIEW CRITERIA

Section 11-606 of the Hinsdale Zoning Code regulates Exterior appearance review. The exterior appearance review process is intended to protect, preserve, and enhance the character and architectural heritage and quality of the Village, to protect, preserve, and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. Please note, that Subsection Standards for building permits refers to Subsection 11-605E Standards and considerations for design permit review.

*****PLEASE NOTE***** If this is a non-residential property within 250 feet of a single-family residential district, additional notification requirements are necessary. Please contact the Village Planner for a description of the additional requirements.

Below are the criteria that will be used by the Plan Commission, Zoning and Public Safety Committee and Board of Trustees in reviewing Exterior Appearance Review requests. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades. No changes to existing conditions
2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures. Exterior materials of addition will match existing masonry as close as possible using either thin brick or full size brick
3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood. the design in general will remain virtually intact
4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. No changes
5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. Proposed addition will match existing height of existing building

6. *Proportion of front façade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. _____
7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. No openings will be modified
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. relationship of solid to void on front facades at grade will remain
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. the relationship of open space to structure will not change
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. addition will be visually compatible with the building
11. *Relationship of materials and texture.* The relationship of the materials and texture of the façade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. material and textures used on addition will match existing
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. The existing roof of the second floor is flat and we are maintaining the same level with addition
13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. N/A
14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. The size and mass of the building will remain visually compatible with the open space
15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character. The addition will continue the character of the building vertically, horizontally and nondirectional

16. *Special consideration for existing buildings.* For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing. The addition is providing secondary egress from the upper floor and the exterior material will match and duplicate the current existing conditions of the rear and side walls
-

REVIEW CRITERIA – Site Plan Review (Not applicable)

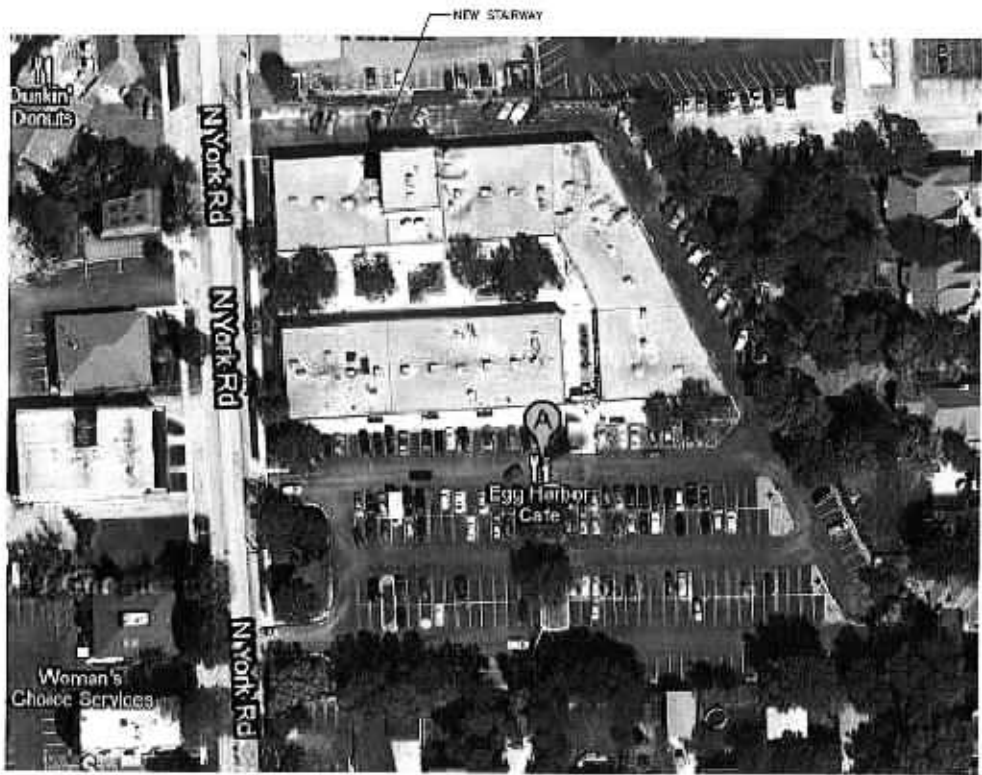
Below are the criteria that will be used by the Plan Commission and Board of Trustees in determining if the application does not meet the requirements for Site Plan Approval. Briefly describe how this application will not do the below criteria. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

Section 11-604 of the Hinsdale Zoning Code regulates Site Plan Review. The site plan review process recognizes that even those uses and developments that have been determined to be generally suitable for location in a particular district are capable of adversely affecting the purposes for which this code was enacted unless careful consideration is given to critical design elements.

1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable. _____
2. The proposed site plan interferes with easements and rights-of-way. _____
3. The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site. _____
4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. _____
5. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably creates hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off the site. _____
6. The screening of the site does not provide adequate shielding from or for nearby uses. _____
7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. _____

-
-
8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. _____
-
9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. _____
-
10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. _____
-
11. The proposed site plan does not provide for required public uses designated on the Official Map. _____
-
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. _____
-

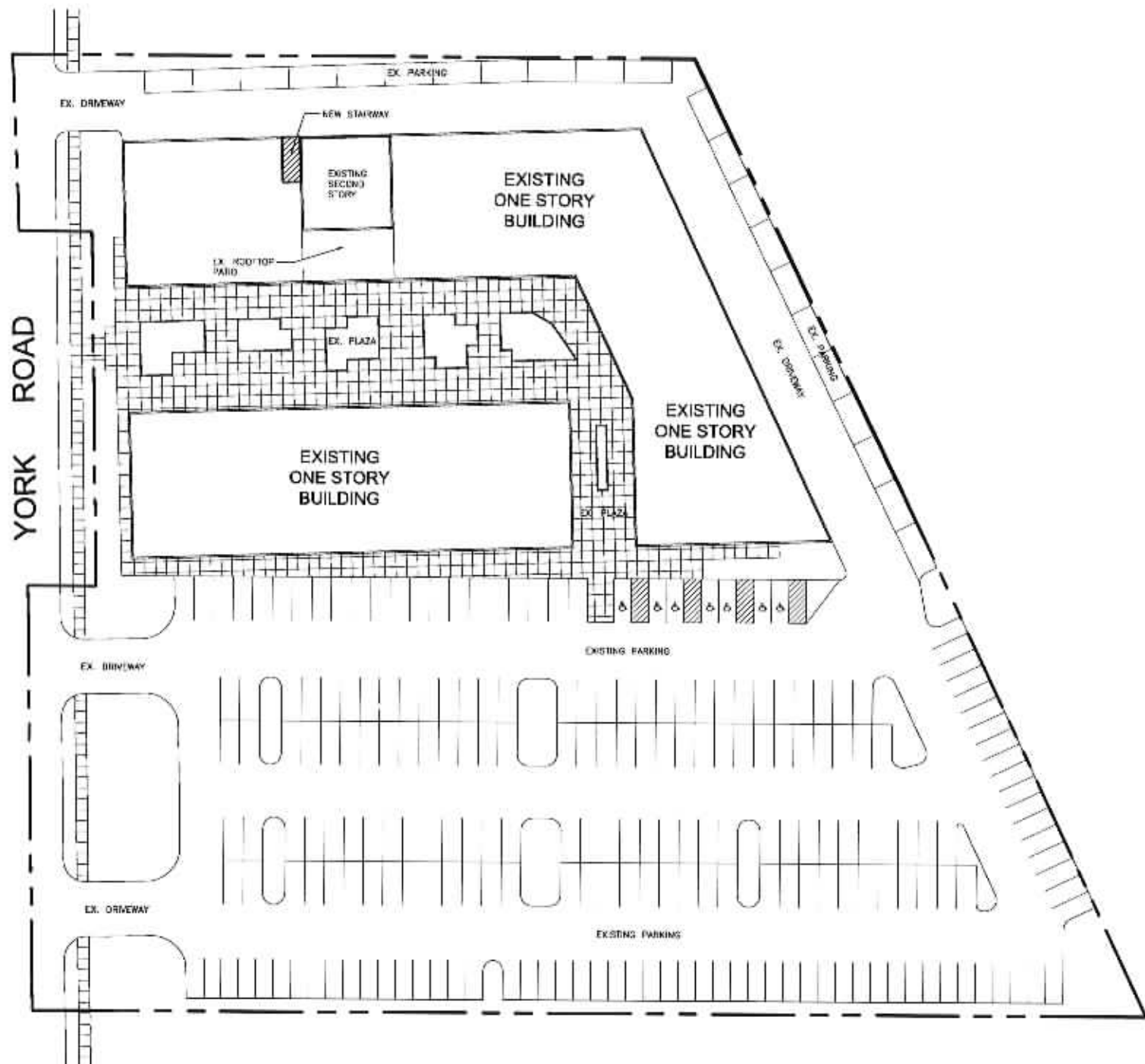
GATEWAY SQUARE



2 SITE AERIAL
NONE



3 SITE AERIAL
NONE



1 SITE PLAN
1"=30'-0"





NOTE:
THERE IS A 15' BUILDING SET BACK LINE
ALONG YORK ROAD.
NUMBER OF PARKING SPACES IS 247.
BUILDINGS ARE BRICK CONSTRUCTION.
ALL MEASUREMENTS ARE ROUNDED
TO THE NEAREST HUNDRETH.
PARCELS AND BUILDING AREAS ARE ROUNDED DOWN
TO THE NEAREST SQUARE FOOT.

25,218 SQ. FT. LARGE BUILDING MAIN FLOOR
1,658 SQ. FT. LARGE BUILDING 2ND FLOOR
11,964 SQ. FT. SMALL BUILDING
43,548 SQ. FT. GROSS

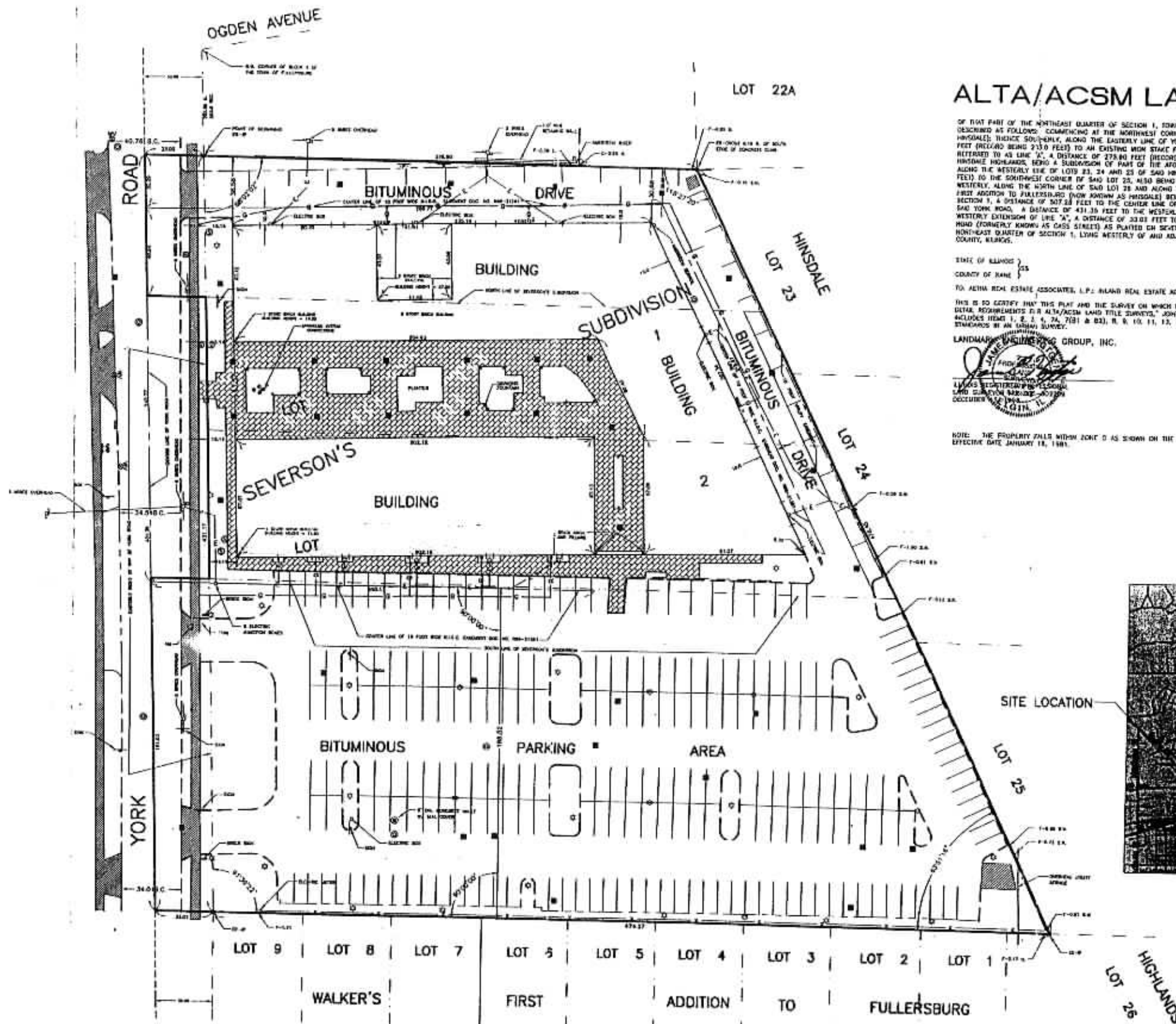
175,111 SQ. FT. GROSS (PARCEL DESCRIBED)
11,964 SQ. FT. YORK ROAD FRONT OF WAY
181,172 SQ. FT. GROSS NET

DIMENSIONS IN FEET AND DECIMALS.

GAS AND ELECTRIC LOCATIONS WERE
TAKEN FROM PREVIOUS SURVEY.

LEGEND OF SYMBOLS

- INDICATES SANITARY MANHOLE
- INDICATES MANHOLE
- INDICATES CATCH BASIN
- INDICATES UNDERGROUND GAS LINE
- INDICATES UNDERGROUND ELECTRIC LINE
- INDICATES FENCE LINE
- INDICATES UTILITY POLE
- INDICATES STREET OR FLOOD LIGHT
- INDICATES GUARD POST
- INDICATES SIGN
- INDICATES ELECTRIC METER ALONG EXTERIOR BUILDING WALL
- INDICATES GAS METER ALONG EXTERIOR BUILDING WALL
- INDICATES TIE TO FENCE
- INDICATES TIE TO CURB
- INDICATES BRICK AREA
- INDICATES CONCRETE AREA
- INDICATES BACK OF CURB
- INDICATES EDGE OF BITUMINOUS
- INDICATES INDIVIDUAL LOT LINE PER RECORDED SUBDIVISION
- INDICATES COURTESY LIGHTS
- INDICATES TRAFFIC SIGNAL MANHOLE
- INDICATES AMERICAN TELEPHONE
- INDICATES AMERICAN TELEPHONE
- INDICATES NORTHERN ILLINOIS GAS COMPANY
- INDICATES HIGH PVI
- INDICATES WATER VALVE
- INDICATES FIRE HYDRANT



ALTA/ACSM LAND TITLE SURVEY

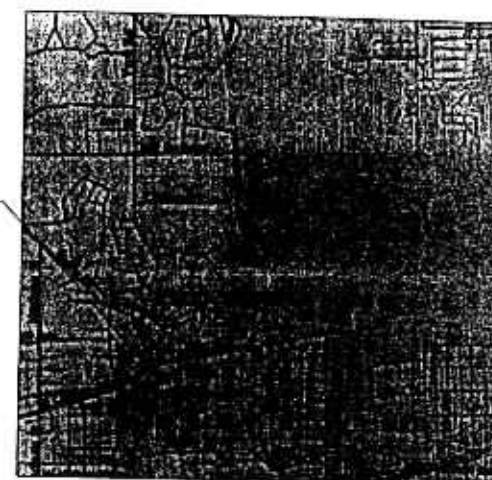
OF THAT PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 36 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 4 OF THE TOWN OF FULLERSBURG (NOW KNOWN AS HINSDALE); THENCE SOUTHWEST, ALONG THE EASTERN LINE OF YORK ROAD (FORMERLY KNOWN AS CASS STREET), A DISTANCE OF 303.59 FEET (RECORD BEING 313.0 FEET) TO AN EXISTING IRON STAKE FOR THE POINT OF BEGINNING, THENCE EASTERLY, THIS LINE HEREINAFTER REFERRED TO AS LINE "A", A DISTANCE OF 278.40 FEET (RECORD BEING 278.22 FEET) TO THE NORTHWEST CORNER OF LOT 23 OF HINSDALE HIGHLANDS, BEING A SUBDIVISION OF PART OF THE AFORESAID NORTHEAST QUARTER OF SECTION 1, THENCE SOUTHEASTERLY, ALONG THE WESTERLY LINE OF LOT 23, 24 AND 25 OF SAID HINSDALE HIGHLANDS, A DISTANCE OF 478.45 FEET (RECORD BEING 478.6 FEET) TO THE SOUTHWEST CORNER OF SAID LOT 25, ALSO BEING ON THE NORTH LINE AND THE WESTERLY EXTENSION THEREOF OF WALKER'S SECTION 1, A DISTANCE OF 507.28 FEET TO THE CENTER LINE OF SAID YORK ROAD, THENCE NORTHERLY, ALONG THE CENTER LINE OF SAID YORK ROAD, A DISTANCE OF 431.35 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PART OF YORK ROAD (FORMERLY KNOWN AS CASS STREET) AS PLATTED ON SEVERSON'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE AFORESAID NORTHEAST QUARTER OF SECTION 1, LYING WESTERLY OF AND ADJOINING LOTS 1 AND 2 OF SAID SEVERSON'S SUBDIVISION, IN CH. PRICE COUNTY, ILLINOIS.

STATE OF ILLINOIS)
COUNTY OF KANE)
TO: ALTA REAL ESTATE ASSOCIATES, L.P.; ALTA REAL ESTATE ACQUISITIONS, INC.; AND CHICAGO TITLE INSURANCE COMPANY.
THIS IS TO CERTIFY THAT THIS PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DATA REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 1991, AND STANDARDS BY AN ALTA/ACSM SURVEY.

LANDMARK ENGINEERING GROUP, INC.



NOTE: THE PROPERTY FALLS WITHIN ZONE D AS SHOWN ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 175105 0004 B, EFFECTIVE DATE JANUARY 18, 1981.



LOCATION MAP



IF THE SURVEYOR OR ENGINEER SEAL IS NOT IN RED THEN THIS DOCUMENT IS NOT VALID

Landmark
ENGINEERING GROUP
2001 VALLEY CREEK DRIVE SUITE 200, GLENVIEW, IL 60025
(847) 888-8812 FAX (847) 888-2529
CIVIL AND ENVIRONMENTAL ENGINEERING AND LAND SURVEYING

ALTA SURVEY
Gateway Square
777 N. YORK ROAD, Hinsdale, IL

REVISIONS		
NO.	DESCRIPTION	DATE

DRAWING INFORMATION
JOB NO. 98-718
DATE: 1/11/99
DRAWN BY: JWP
CHECKED BY: JPH
PLOT SCALE: 1"=30'
PRINT DATE: 1/11/99
SHEET NO.

SHEET 1 OF 1

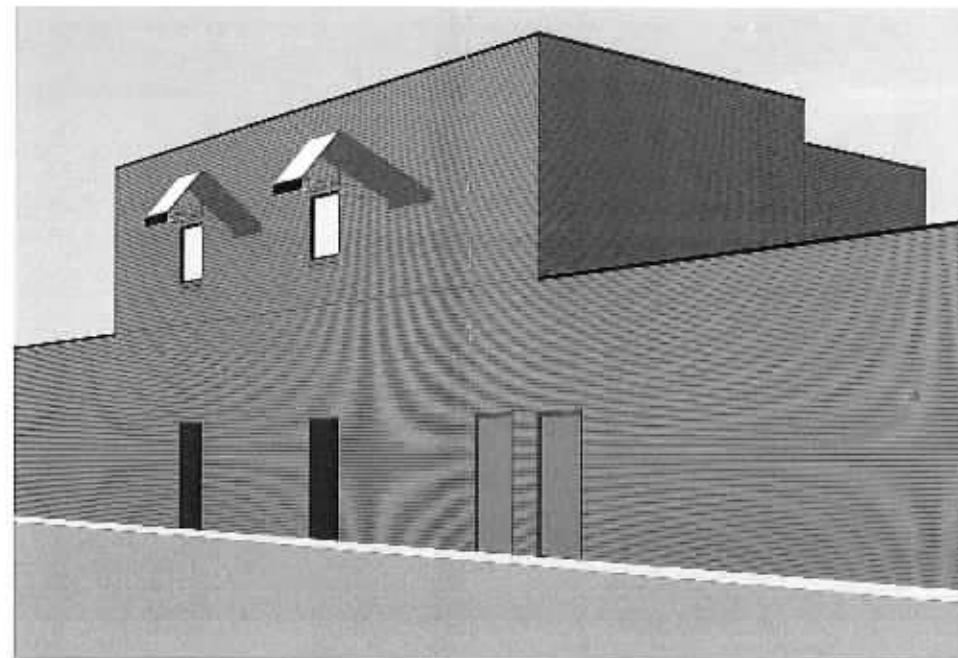
JOB NO.

98-718

GATEWAY SQUARE




1 EXTERIOR PERSPECTIVE (FRONT)



2 EXTERIOR PERSPECTIVE (REAR)

Memorandum

To: Chairman Byrnes and Plan Commission Members
From: Sean Gascoigne, Village Planner 
Date: September 8, 2010
Re: Sign Review – 52 S. Washington Street – Green Goddess

SIGN PERMIT REVIEW

The applicant is proposing a wall-mounted sign on the subject building. The site is located on the west side of Washington Street, and is zoned B-2 Central Business District.

The property currently does not contain a sign and is proposing to install one above the entrance to the tenant space and faces east as depicted in the attached photo. The new sign would be 24 square feet and would be green, brown and cream, as illustrated on the attached exhibits. The applicant was originally approved for a sign on June 9th, but has since decided to propose an alternate sign.

Subsection 9-106J of the Zoning Code provides the requirements for wall signage in the B-2 District and allows a maximum of 25square feet for each business. As such, the proposed sign application meets the requirements of Section 9-106 – Signs of the Zoning Code.

Attachment

Cc: President Cauley and Board of Trustees
David Cook, Village Manager

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION FOR SIGN PERMIT**

Applicant

Name: Elyse Rembos
Address: 311 N. Monroe St.
City/Zip: Hinsdale, IL
Phone/Fax: (630) 455-4108 / (630) 455-1148
E-Mail: _____
Contact Name: Elyse Rembos

Contractor

Name: Signs Now
Address: 1548 Ogden Ave
City/Zip: Downers Grove, IL
Phone/Fax: (630) 515-1085 / (630) 515-1087
E-Mail: info@signsnowdownersgrove.co
Contact Name: Jim Krick

ADDRESS OF SIGN LOCATION:

52 E. Washington St.
Hinsdale, IL
ZONING DISTRICT: Business

Sign Type:

- ☒ Permanent ☐ Temporary
☒ Ground Sign
☒ Wall Sign
☐ Pole Sign

Sign Information:

Overall Size (Square Feet): 24 (36 x 96)
Overall Height from Grade: 14 1/2 Ft.
Proposed Colors (Maximum of Three Colors):
① GREEN ② BROWN
③ TURQUOISE
Type of Illumination: NONE
Foot Candles: NONE

Site Information:

Lot/Street Frontage: 24'
Building/Tenant Frontage: 24'
Existing Sign Information:
Business Name: _____
Size of Sign: _____ Square Feet
Business Name: _____
Size of Sign: _____ Square Feet

I hereby acknowledge that I have read this application and the attached instruction sheet and state that it is correct and agree to comply with all Village of Hinsdale Ordinances.

Elyse Rembos
Signature of Applicant

7/12/10
Date

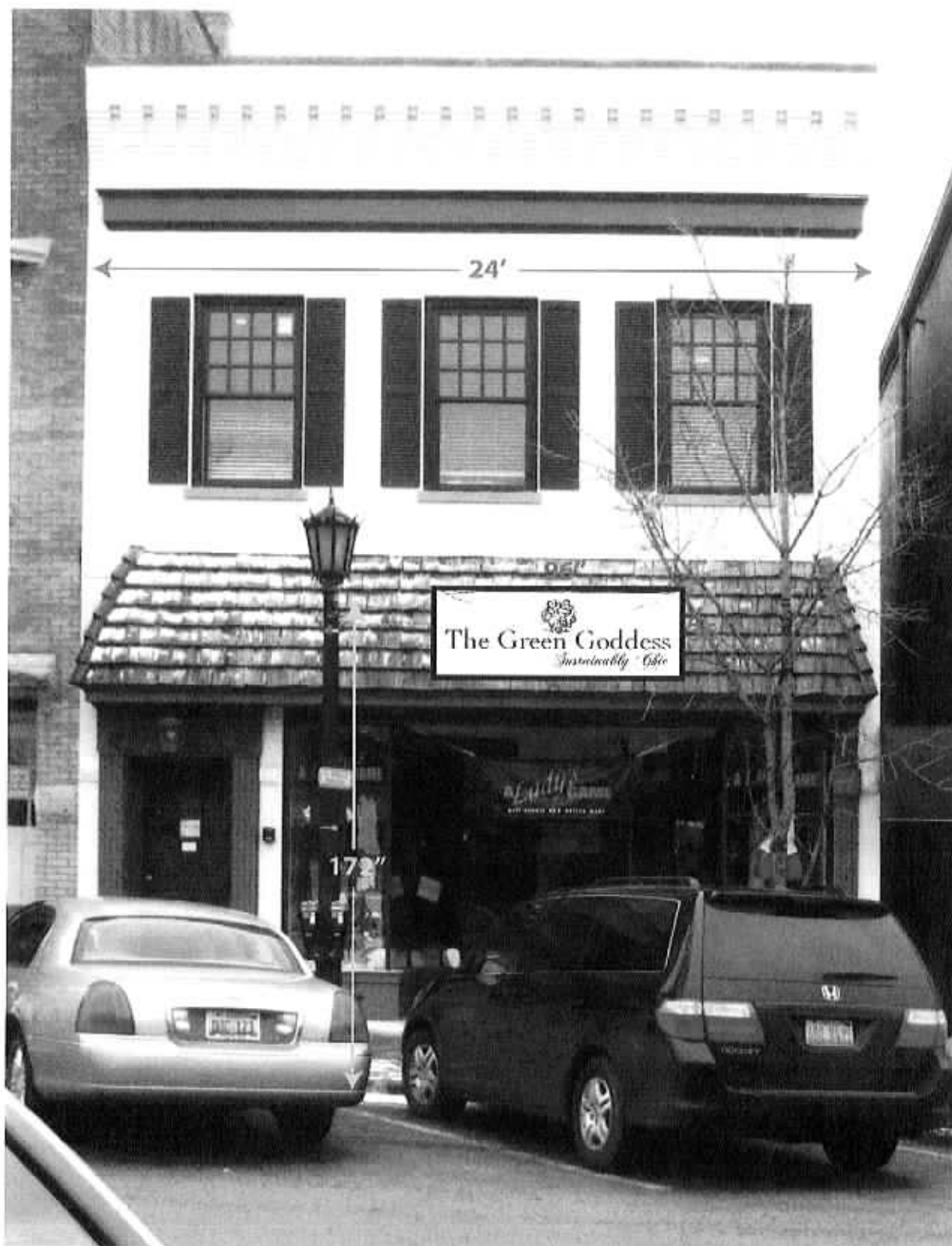
Jim Krick
Signature of Building Owner

7/12/10
Date

FOR OFFICE USE ONLY: Fee: \$4.00 per square foot, not less than \$75.00 per sign

Total square footage: _____ x \$4.00 = _____

Plan Commission Approval Date: _____




36"x96" = 24sq ft. *brown border is a wood frame Colors: Green, Dark Brown, Turquoise



36"x96" = 24sq ft. *brown border is a wood frame Colors: Green, Dark Brown, Turquoise

Memorandum

To: Chairman Byrnes and Plan Commission Members
From: Sean Gascoigne, Village Planner 
Date: September 8, 2010
Re: Sign Review – 130 W. Chestnut Street – Hinsdale Bank and Trust

SIGN PERMIT REVIEW

The petitioner is requesting to modify existing signage at the Hinsdale Bank and Trust at 130 W. Chestnut Street. The property is located in the B-3 General Business District and is improved with an existing bank.

The existing sign is a wood monument sign with individual blue letters and up-lit using ground lighting. Most of the work proposed by the applicant is general maintenance and clean-up of the sign however the applicant would like to remove the wood panel containing the individual letters and replace it with a lit box sign. The size of the proposed box sign would match the dimensions of the existing panel that currently contain the bank's name. The applicant has indicated that the colors would be the same with a white background and blue letters and also that the ground lighting would be removed.

Subsection 9-106J of the Zoning Code provides the requirements for monument signs in the B-3 District. Monument signs are to be a maximum of 50 square feet per sign face and an overall permitted height of 8'-0". As such, the proposed sign application meets the requirements of Section 9-106 – Signs of the Zoning Code.

Attachment

Cc: President Cauley and the Village Board of Trustees
David Cook, Village Manager

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION FOR SIGN PERMIT**

Applicant
Name: Hinsdale Bank and Trust

Address: 25 E. 1st. Street

City/Zip: Hinsdale, IL 60521

Phone No.: 630-920-2700

Fax No.: 866-955-9170

Contact Person: 630-533-0291
Lynn Colby, Prop. Manager

SIGN ADDRESS: 130 W. Chesnut St.

Type of Sign: Ground sign

Building frontage: 48'-2"

Dimensions of Sign: Length: 5'-3" wide x 5'-0" high

Overall height of sign (grade to top of sign): 5'-5"

Proposed colors used in sign (max. three): White with blue letters

Type of illumination: Florscent bulbs

Sign Contractor
Sign Identity, Inc

Ton Van Winkle

415 Taft Ave.

Glen Ellyn, IL 60137

630-942-1400

ZONING DISTRICT: _____

Lot/street frontage: _____

Total square footage of sign: 25 s.f.

Height: _____

Foot-candles: _____

EXISTING SIGN INFORMATION

Business Name
Hinsdale Bank & Trust Company

Size of Sign
5'-0" wide x 5'-0" high
(existing sign is rotting and needs replacement)

I hereby acknowledge that I have read this application and the attached instruction sheet and state that it is correct and agree to comply with all Village of Hinsdale Ordinances.

[Signature]
Signature of Applicant

6/23/10
Date

Lynn E. Colby as Agent
Signature of Building Owner
for Hinsdale Bank & Trust

7/28/10
Date

FOR OFFICE USE ONLY: Fee: \$3.96 per square foot, not less than \$72.00 per sign

Total square footage: _____ x \$3.96 = _____

Plan Commission Approval Date: _____

Date of Permit: _____ Permit No.: _____



*Lighted box sign, 4'-0" x 2'-6" x 1'-0"
Installed between existing posts, 4'-0 1/2"
Copy - Routed letters
Cabinet white w/disconnect*

**sign
identity**

415 Taft Ave. Glen Ellyn, IL 60137
630-942-1400 Fax: 630-942-8400

Client:

Hinsdale Bank & Trust
130 Chestnut Ave.
Hinsdale, IL

Date:

July 20, 2010

I have reviewed the above specifications and understand the scope of
the work to be performed and approve this project to begin:
Client Approval: _____

Landlord Approval: _____

Date: / /

Date: / /

This drawing is the property of Sign Identity, Inc. and has been made available to the client to illustrate design, materials and manufacturing detail. Any alternations, reproductions in whole or part, or distribution for bid are prohibited without written approval and consent of Sign Identity, Inc. Copyright 2010

I have reviewed the above specifications and understand the scope of the work to be performed and approve this project to begin:

Client Approval: _____

Landlord Approval: _____

Date: / / Date: / /

Existing Wood sign, 4'-0" x 2'-6" and wood post sign

HINSDALE BANK & TRUST STREET

1-STOREY BRICK BUILDING

GRASS

GRASS

SIDEWALK

CONCRETE CURB

ISLAND BANK CANOPY

N 74°50'05" E 113.19'

N 67°19'07" E 92.98'

53.56'

18.58'

21.00'

0.70'

1.55'

53.78'

17.09'

14.18'

17.02'

21.02'

12.85'

0.72'

8.69'

0.72'

23.94'


1.03'

54'

1198'



Memorandum

To: Chairman Byrnes and Plan Commission Members
From: Sean Gascoigne, Village Planner 
Date: September 8, 2010
Re: Sign Review – 500 W. Chestnut Street – First Merit Bank

SIGN PERMIT REVIEW

The petitioner is requesting to switch out existing signage for the purpose of re-branding. The former Midwest Bank and Trust is now First Merit Bank and is requesting to replace one wall-mounted sign and reface an existing monument sign at the property known as 500 W. Chestnut Street. The property is located in the B-3, General Business District and is improved with an existing bank.

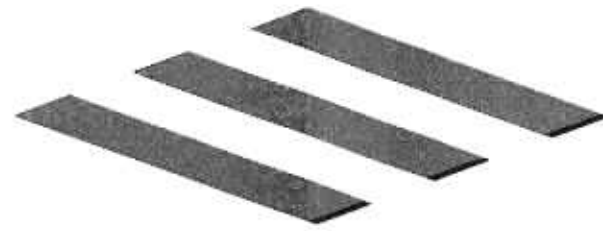
The existing wall sign is a cabinet sign located on the west elevation of the building and would be removed entirely. The newly proposed wall sign would be located on the north elevation facing Chestnut and would be a raceway with channel letters, as identified on the attached illustrations. The wall sign would be about 35 square feet and has an overall height of approximately 14'-0". The monument sign would be a direct replacement of the acrylic panel and would be approximately 33 square feet. The signage will consist of the First Merit corporate logo which is blue, white and gold, as illustrated in the attached exhibit. According to the submitted applications, both signs are proposed to be illuminated.

Subsection 9-106J of the Zoning Code provides the requirements for wall signage in the B-3 District and maximum square footage is one square foot per foot of building frontage, up to a maximum of one hundred square feet. The maximum overall height of a wall sign is not more than 20 feet or no higher than the bottom of any second floor window, whichever is less. Monument signs are to be a maximum of 50 square feet per sign face and an overall permitted height of 8'-0". As such, the proposed sign application meets the requirements of Section 9-106 – Signs of the Zoning Code.

Attachment

Cc: President Cauley and the Village Board of Trustees

David Cook, Village Manager



FIRSTMERIT

MIDWEST BANK CONVERSION SIGN PACKAGE

#59380 HINSDALE
500 West Chestnut Street
Hinsdale, IL 60521

REVISION HISTORY:

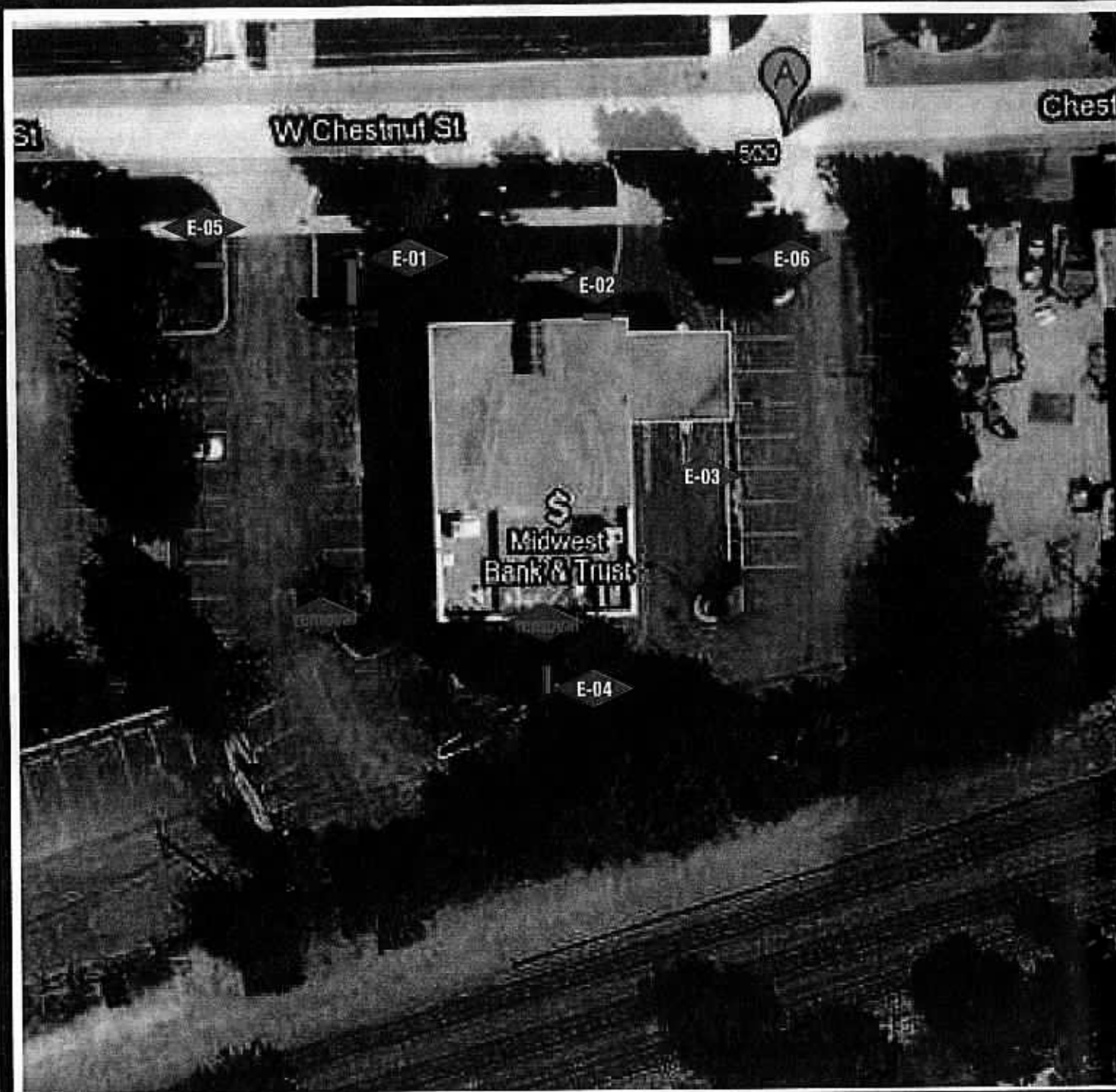
Aug. 4, 2010

MC SIGN
COMPANY
8959 TYLER BLVD.
MENTOR, OHIO 44060
PH. 440-209-6200 FAX 440-209-6277

 **Sign On.**TM
Partner with the best.



**SITE PLAN
SIGN CALLOUT**




▲
N

SIGN LEGEND

[illegible]

MC SIGN COMPANY
8959 TYLER BLVD.
MENTOR, OHIO 44060
PH. 440-209-6200 FAX 440-209-6277

CLIENT:		TICKET #:	DRAWING #:	DATE:
 FIRSTMERIT Bank		184778	184778-6	7/14/10
ADDRESS:		PROJECT MANAGER:		DESIGNER:
#59380 HINSDALE 500 W. CHESTNUT ST. HINSDALE, IL 60521		STEFAME DENISTON		Viv
ELECTRONIC FILE LOCATION & NAME:				
FIRSTMERIT.2010.MIDWEST CONVERSION.59380 HINSDALE				
REVIEWED BY:				DATE:

[illegible]

Sign On.™

Partner with the best.

CLIENT SIGNATURE & APPROVAL DATE

NOTICE: PRINTS ARE THE EXCLUSIVE PROPERTY OF "MC SIGN COMPANY" ANY UN-AUTHORIZED USE OR DUPLICATION WILL RESULT IN A 20% CHARGE PER OCCURRENCE PER THE VALUE OF THE DISPLAY © MC SIGN CO. 1998

REPLACEMENT FACES

Scale: 1/2" = 1'-0" 32.5 square feet

E-01

9'-11-1/2"
cut size

3'-2-1/2"
cut size


FIRSTMERIT
Bank

CABINET SIZE: 3'-3" x 10'-0"

REPLACEMENT FACES:

CABINET: Existing 10" deep cabinet w/ 1-1/2" retainers - all to be repainted FM Gray

FACES: Flat solar grade White polycarbonate w/ translucent vinyl overlays (2) two required

POLE COVER: Existing to be repainted FM Gray

COLOR MATCHING

Pantone 560 C-Blue
MC-2314 Trans. Vinyl

Pantone 431 C-Gray

Pantone 672 C-Gold
1st layer 3M Scotchlite #230-25 Sunflower Yellow
2nd layer 3M Gold Nugget #3630-141

Proposed signage



existing conditions



MC SIGN
COMPANY

8959 TYLER BLVD.
MENTOR, OHIO 44060
PH. 440-209-6200 FAX 440-209-6277

CLIENT:

FIRSTMERIT
Bank

ADDRESS:
#59380 HINSDALE
500 W. CHESTNUT ST.
HINSDALE, IL 60521

TICKET #: 184778 DRAWING #: 184778-7 DATE: 7/14/10

PROJECT MANAGER: STEFFANIE DENISTON DESIGNER: Viv

ELECTRONIC FILE LOCATION & NAME:
FIRSTMERIT 2010 MIDWEST CONVERSION/59380 HINSDALE

REVIEWED BY: DATE:

REVISION HISTORY

DATE: 7/26/10 Viv
8/4/10 Viv

CHANGES MADE:

Revised size & height of sign
Changed to replacement faces

Sign On.TM

Partner with the best.

CLIENT SIGNATURE & APPROVAL DATE:

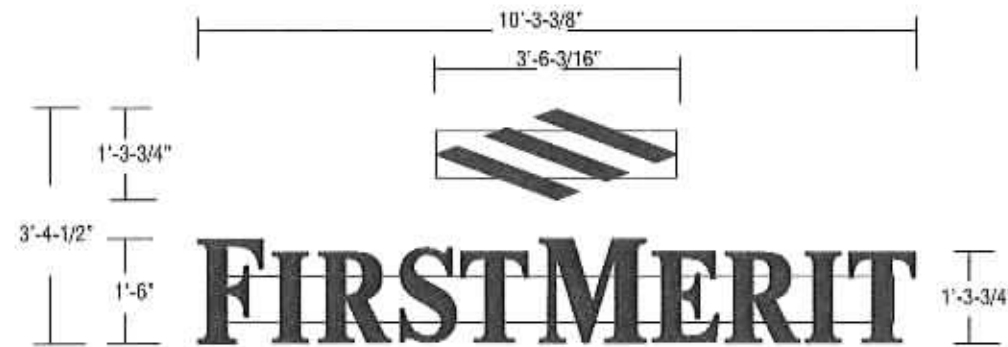
NOTICE: PRINTS ARE THE EXCLUSIVE PROPERTY OF "MC SIGN COMPANY" ANY UN-AUTHORIZED USE OR DUPLICATION WILL RESULT IN A 20% CHARGE PER OCCURRENCE PER THE VALUE OF THE DISPLAY © MC SIGN CO. 1998

Scale: $\frac{3}{8}" = 1'-0"$ 34.7 square feet

RACEWAY MOUNTED CHANNEL LETTERS:

FACES: 3/16" #2447 White acrylic w/ vinyls overlays as shown
TRIMCAP: 1" jewelite trimcap painted to match light tan of stucco/dryvit
RETURNS: 5" Deep .040 alum. painted to match light tan of stucco/dryvit
ILLUMINATION: White LED's as required by manufacturer
MOUNTING: Low profile raceway 4" x 8" painted to match building
QUANTITY: (1) one set required

E-02



note: Existing s/f wall sign to be removed completely
in order to install new proposed channel letter set #E-02 as shown



EXISTING CONDITIONS



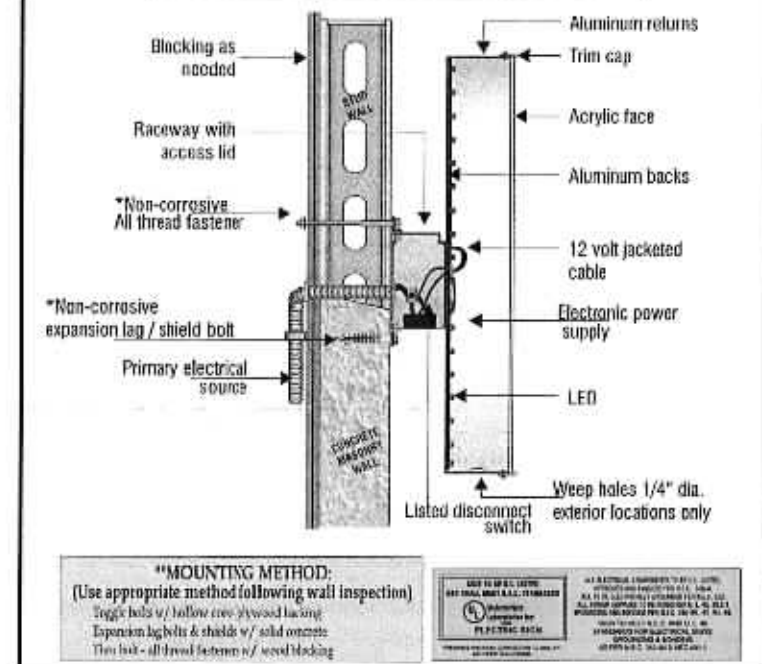
PROPOSED NORTHEAST ELEVATION Scale: 1/8"=1'-0"



COLOR MATCHING

	Pantone 660 C - Blue MC-2314 Trans. Vinyl		Pantone 431 C - Gray
	Pantone 872 C - Gold 1st layer 3M Scotchlite #230-25 Sunflower Yellow 2nd layer 3M Gold Nugget #3530-141		RACEWAY COLOR TO BE FIELD VERIFIED
			TRIMCAP & RETURNS COLOR TO BE FIELD VERIFIED

LED CHANNEL - RACEWAY MOUNT



MC SIGN COMPANY
8959 TYLER BLVD.
MENTOR, OHIO 44060
PH. 440-209-6200 FAX 440-209-6277

CLIENT:	 FIRSTMERIT Bank
ADDRESS:	#59380 HINSDALE 500 W. CHESTNUT ST. HINSDALE, IL 60521

TICKET #:	DRAWING #:	DATE:
184776	184776-B	7/23/10
PROJECT MANAGER:		DESIGNER:
STEFANIE DENISTON		CA
ELECTRONIC FILE LOCATION & NAME:		
FIRSTCIRIT2010\MIDWEST CONVERSION\59360 HINSDALE		
REVIEWED BY:	DATE:	

REVISION HISTORY

DATE:	
8/9/10 Viv	Revised return and trimcap color
8/17/10 Viv	Showed existing sign removal

CHANGES MADE


Sign On.™

Partner with the best.

CLIENT SIGNATURE & APPROVAL DATE:

NOTICE: PRINTS ARE THE EXCLUSIVE PROPERTY OF "MC SIGN COMPANY" ANY UN-AUTHORIZED USE OR DUPLICATION WILL RESULT IN A 20% CHARGE PER OCCURRENCE PER THE VALUE OF THE DISPLAY © MC SIGN CO. 1998

Memorandum

To: Chairman Byrnes and Plan Commission Members
From: Sean Gascoigne, Village Planner 
Date: September 8, 2010
Re: Sign Review – 108 Chestnut – Fodeo

SIGN PERMIT REVIEW

The petitioner is requesting a wall sign at the property known as 108 Chestnut Street. The property is located in the B-3 General Business District and is a tenant within a multi-tenant commercial building.

The sign would be located along the north elevation of the building and would be 19.25 square feet (7'-0" x 2'-9") and has an overall height of approximately 16 feet. The signage will consist of individual red channel letters taking the form of their corporate logo, as illustrated in the attached exhibit.

Subsection 9-106J of the Zoning Code provides the requirements for new wall signage in the B-3 District and allows a maximum of 25 square feet for each business and an overall height of no more than 20 feet. As such, the proposed sign application meets the requirements of Section 9-106 – Signs of the Zoning Code.

Attachment

Cc: President Cauley and Board of Trustees
David Cook, Village Manager

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
APPLICATION FOR SIGN PERMIT**

Applicant

Name: FODEO
Address: 108 W - CHESTNUT
City/Zip: HINSDALE, IL 60521
Phone/Fax: (708) 579-1360 / 708-579-1368
E-Mail: VAL@FODEO.NET
Contact Name: VALARIE MOODY

Contractor

Name: _____
Address: _____
City/Zip: _____
Phone/Fax: (____) _____ / _____
E-Mail: _____
Contact Name: _____

ADDRESS OF SIGN LOCATION:

108 W. CHESTNUT, HINSDALE IL 60521

ZONING DISTRICT:

Sign Type:

☒ **Permanent** ☐ **Temporary**
☐ **Ground Sign**
☐ **Wall Sign**
☐ **Pole Sign**

Sign Information:

Overall Size (Square Feet): 19.25 (275' x 7')
Overall Height from Grade: 16 Ft.
Proposed Colors (Maximum of Three Colors):
① RED ② _____
③ _____
Type of Illumination: ELECTRIC LIGHT BULB
Foot Candles: _____

Site Information:

Lot/Street Frontage: _____
Building/Tenant Frontage: _____
Existing Sign Information:
Business Name: _____
Size of Sign: _____ Square Feet
Business Name: _____
Size of Sign: _____ Square Feet

I hereby acknowledge that I have read this application and the attached instruction sheet and state that it is correct and agree to comply with all Village of Hinsdale Ordinances.

Valarie Moody
Signature of Applicant

8/17/2010
Date

Signature of Building Owner

Date

FOR OFFICE USE ONLY:

Fee: \$4.00 per square foot, not less than \$75.00 per sign

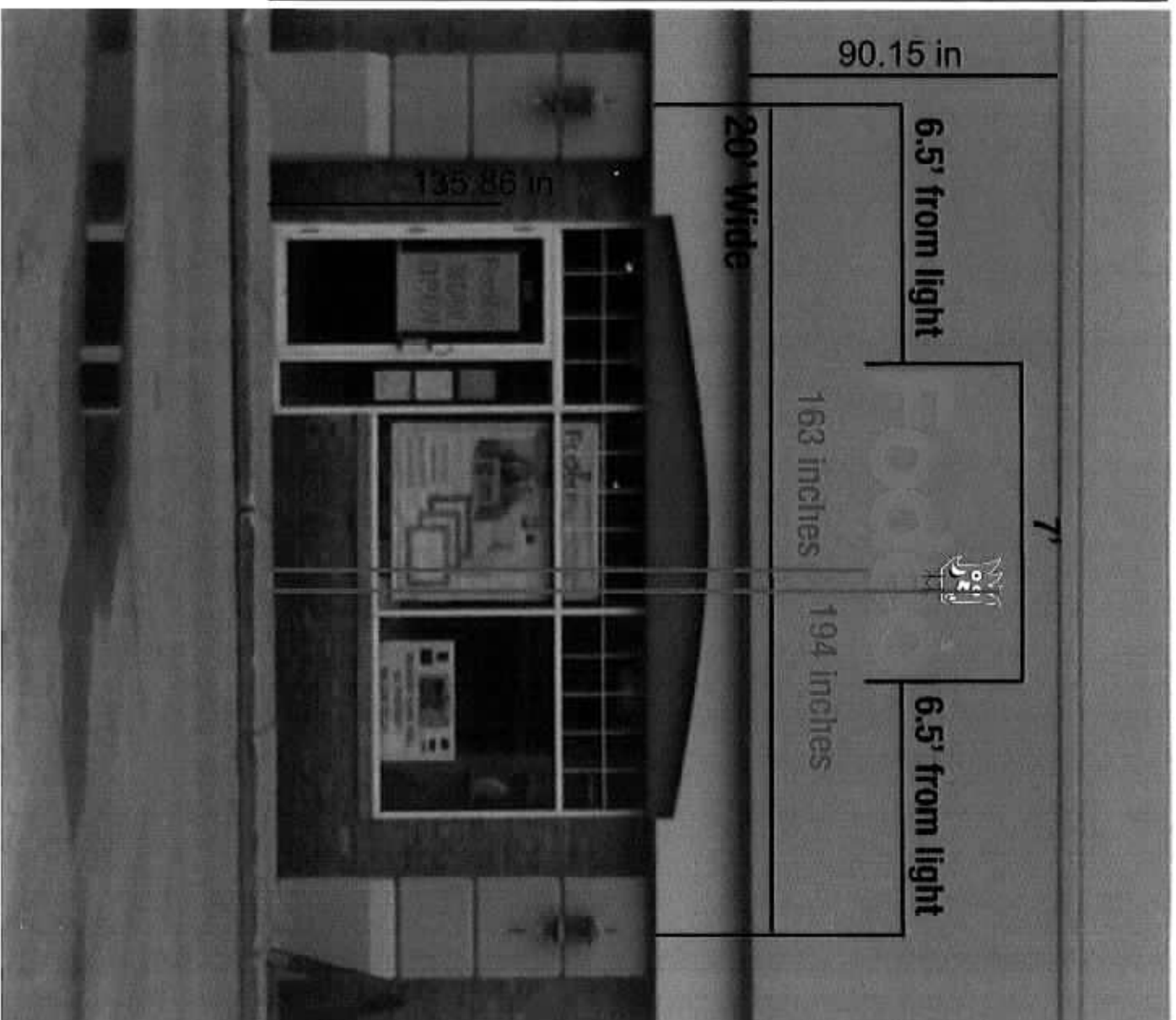
Total square footage: _____ x \$4.00 = _____

Plan Commission Approval Date: _____


- F: 19 3/4 tall, 14 wide**
- O: 15 3/4 tall, 15 1/4 wide**
- D: 20 tall, 15 wide**
- E: 33 tall, 14 7/8 wide**
- O: 15 3/4 tall, 15 1/4 wide**

All are 5" deep.

260.92 in



Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: September 8, 2010
Re: 18 S. Blaine Street

REQUEST

The petitioner, Mary Alice and Dennis Fitzpatrick, are requesting exterior appearance and site plan review to allow for a 6-foot privacy fence along Chicago Avenue which runs along the north portion of the subject property. The property is zoned O-1, but is a single family residence and as such requires site plan/exterior appearance approval for any improvements made on the property. It should be noted that this request is after-the-fact as the applicant has already installed the fence and is requesting the approval as a result of being cited by the Village for doing the work without the appropriate Village approvals. On a non-residential lot, the building code permits an 8-foot fence, whereas the applicant has only installed a 6-foot fence. As such the fence meets the requirements of the Village's Building Code. The style and size of the fence can be identified in the attached documents provided by the applicant.

Cc: President Cauley and the Village Board of Trustees
David Cook

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: Mary Alice & Dennis Fitzpatrick
Owner's name (if different): _____
Property address: 10 S. Blaine St., Hinsdale, IL 60521
Property legal description: [attach to this form]
Present zoning classification: O-1
Square footage of property: _____
Lot area per dwelling: _____
Lot dimensions: ^(F) 62' x 133.25' x ^(B) 29'
Current use of property: Single / Multi / Business Office Use
Proposed use: ☐ Single-family detached dwelling
☒ Other: _____
Approval sought: ☐ Building Permit ☐ Variation
☐ Special Use Permit ☐ Planned Development
☐ Site Plan ☐ Exterior Appearance
☐ Design Review
☒ Other: Replacing existing fence with same height,
cedar fence

Brief description of request and proposal:

Replace rotten old fence with new fence to match existing.

Plans & Specifications: [submit with this form]

Provided: **Required by Code:**

Yards:

front:
interior side(s)

25.97'
3.95' / N/A

35'
10' / N/A

Provided:

Required by Code:

corner side
rear

15'
58'

35'
25'

Setbacks (businesses and offices):

front:

N/A

N/A

interior side(s)

corner side

rear

others:

Ogden Ave. Center:

York Rd. Center:

Forest Preserve:

Building heights:

principal building(s):

< 30'

30'

accessory building(s):

N/A

N/A

Maximum Elevations:

principal building(s):

N/A

N/A

accessory building(s):

N/A

N/A

Dwelling unit size(s):

N/A

N/A

Total building coverage:

20%

35%

Total lot coverage:

50%

80%

Floor area ratio:

.40

.40

Accessory building(s):

N/A

Spacing between buildings: [depict on attached plans]

principal building(s):

N/A

accessory building(s):

N/A

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

Mary Alice Fitzpatrick

Applicant's printed name

Dated: Sep 9, 2010.

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Plan Commission File for 18 S. Blaine Street, regarding Exterior Appearance/Site Plan Review in 2010, for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

Mary Alice and Dennis Fitzpatrick

Address or description of subject property:

18 S. Blaine Street, Hinsdale, IL 60521

Use or proposal for subject property for which certificate is issued:
Installation of a 6'-0" privacy fence

Plans reviewed, if any: *See attached plans, if any* - See Plan Commission File for 18 S. Blaine Street, regarding Exterior Appearance/Site Plan Review in 2010.

Conditions of approval of this certificate:

The Board of Trustee's adopt an Ordinance that grants the following requests:

- Section 11-606 of the Hinsdale Zoning Code pertaining to the Exterior Appearance Review.
- Section 11-604 of the Zoning Code governing Site Plan Review.

Note: other conditions may be attached to approval of any pending zoning application.

NOTE ALL OF THE FOLLOWING CAREFULLY:

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Village's understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.

This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.

By: 
Village Manager

Dated: 8/16, 2010



VILLAGE
OF HINSDALE FOUNDED IN 1873

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT

GENERAL APPLICATION

I. GENERAL INFORMATION

Please Note: You MUST complete and attach all appropriate applications and standards applicable to your specific request to this application.

Applicant

Name: Dennis & Mary Alice Fitzpatrick
Address: 18 S. Blaine St.
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 325-6184 /
E-Mail: maryalice@dcfitz.com

Owner

Name: Dennis & Mary Alice Fitzpatrick
Address: 18 S. Blaine St.
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 325-6184 /
E-Mail: maryalice@dcfitz.com

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name: N/A
Title: _____
Address: _____
City/Zip: _____
Phone/Fax: () _____ / _____
E-Mail: _____

Name: N/A
Title: _____
Address: _____
City/Zip: _____
Phone/Fax: () _____ / _____
E-Mail: _____

Disclosure of Village Personnel: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)

- 1) None
- 2) _____
- 3) _____

II. SITE INFORMATION

Address of subject property: 18 S. Blaine St. Hinsdale, IL 60521

Property identification number (P.I.N. or tax number): 09 - 12 - 201 - 008

Brief description of proposed project: Replaced existing fence with same height, cedar fence. Old fence was rotten + falling down. See pictures

General description or characteristics of the site: Home / Office / 2-Flat Apartment Building
Garbage + Recycling containers in backyard. Built this way in 1908 + used this way.

Built in 1908 - Restored Victorian / no garage

Existing zoning and land use: O-1

Surrounding zoning and existing land uses:

North: Road + Railroad Tracks

South: Dentist Office

East: Blaine St. Residents

West: Empty Lot

Proposed zoning and land use: N/A

(Square footage of property: 6063 square feet)

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☒ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☒ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested: _____

☐ Map and Text Amendments 11-601E
Amendment Requested: _____

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 10 S. Blaine St

The following table is based on the O-1 Zoning District.

	Minimum Code Requirements			Proposed/Existing Development
	O-1	O-2	O-3	
Minimum Lot Area (s.f.)	8,500	25,000	20,000	6,203 s.f.
Minimum Lot Depth	125	125	125	136.45'
Minimum Lot Width	60	100	80	451'
Building Height	30	40	60	230'
Number of Stories	2.5	3	5	2
Front Yard Setback	35	25	25	25.97'
Corner Side Yard Setback	35	25	25	15'
Interior Side Yard Setback	10	10	10	3.95'
Rear Yard Setback	25	20	20	58'
Maximum Floor Area Ratio (F.A.R.)*	.40	.50	.35	.40
Maximum Total Building Coverage*	35%	N/A	N/A	20%
Maximum Total Lot Coverage*	80%	80%	50%	50%
Parking Requirements				
	N/A			
Parking front yard setback	N/A			
Parking corner side yard setback	N/A			
Parking interior side yard setback	N/A			
Parking rear yard setback	N/A			
Loading Requirements	N/A			
Accessory Structure Information	N/A			

* Must provide actual square footage number and percentage.

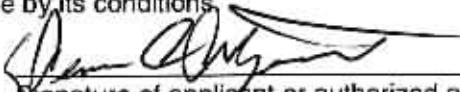
Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: _____

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE 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 SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 9 day of JULY, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.


Signature of applicant or authorized agent


DENNIS C. FITZPATRICK
Name of applicant or authorized agent


Signature of applicant or authorized agent

Mary Alice Fitzpatrick
Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 9 day of

July, 2010


Notary Public





COMMUNITY DEVELOPMENT
DEPARTMENT
EXTERIOR APPEARANCE AND
SITE PLAN REVIEW CRITERIA

Address of proposed request: 18 S. Blaine St. Hinsdale, IL

REVIEW CRITERIA

Section 11-606 of the Hinsdale Zoning Code regulates Exterior appearance review. The exterior appearance review process is intended to protect, preserve, and enhance the character and architectural heritage and quality of the Village, to protect, preserve, and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. Please note that Subsection Standards for building permits refers to Subsection 11-605E Standards and considerations for design permit review.

*****PLEASE NOTE***** If this is a non-residential property within 250 feet of a single-family residential district, additional notification requirements are necessary. Please contact the Village Planner for a description of the additional requirements.

FEES for Exterior Appearance/Site Plan Review:

Standard Application: \$600.00

Within 250 feet of a Single-Family Residential District: \$800

Below are the criteria that will be used by the Plan Commission, Zoning and Public Safety Committee and Board of Trustees in reviewing Exterior Appearance Review requests. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades. It fits.
2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures. It fits.
3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood. It fits.
4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. N/A

5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. N / A
6. *Proportion of front façade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. N / A
7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. N / A
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. N / A
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. N / A
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. N / A
11. *Relationship of materials and texture.* The relationship of the materials and texture of the façade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. N / A
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. N / A
13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. It fits.
14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. N / A
15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character,

whether this be vertical character, horizontal character, or nondirectional character.

N/A

16. *Special consideration for existing buildings.* For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing.

N/A

REVIEW CRITERIA – Site Plan Review

Below are the criteria that will be used by the Plan Commission and Board of Trustees in determining if the application does not meet the requirements for Site Plan Approval. Briefly describe how this application will not do the below criteria. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

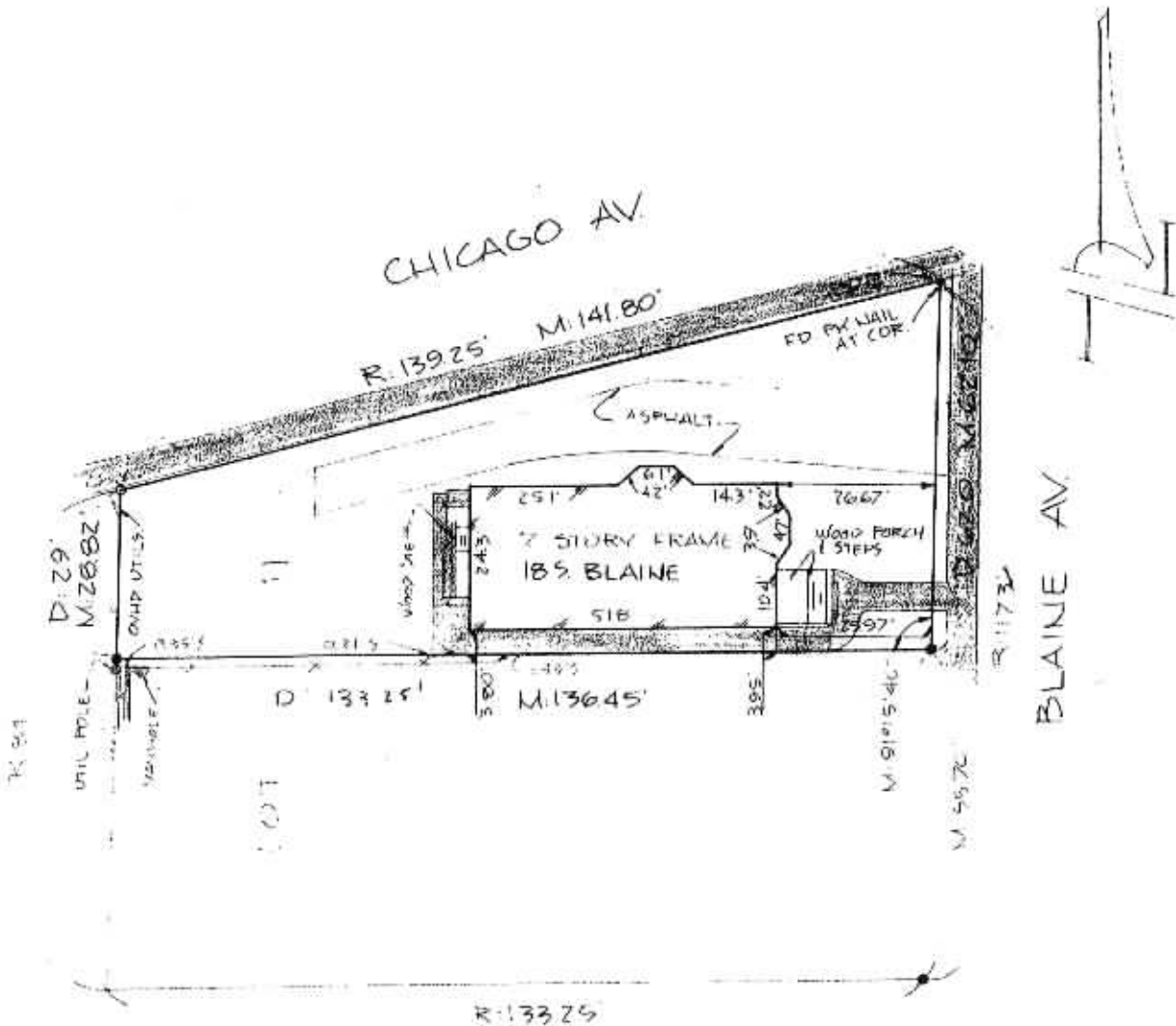
Section 11-604 of the Hinsdale Zoning Code regulates Site Plan Review. The site plan review process recognizes that even those uses and developments that have been determined to be generally suitable for location in a particular district are capable of adversely affecting the purposes for which this code was enacted unless careful consideration is given to critical design elements.

1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable. _____
2. The proposed site plan interferes with easements and rights-of-way. _____
3. The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site. _____
4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. _____
5. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably creates hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off the site. _____
6. The screening of the site does not provide adequate shielding from or for nearby uses. _____

-
7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. _____
-
8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. _____
-
9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. _____
-
10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. _____
-
11. The proposed site plan does not provide for required public uses designated on the Official Map. _____
-
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. _____
-

PLAT OF SURVEY

Of that part of Lot 11 in Gladstone Park, a subdivision of Block 4 in William Robbin's First Addition to Hinsdale, a subdivision in the Northeast quarter of Section 12, Township 36 North, Range 11, East of the Third Principal Meridian, described as follows: Beginning at the Northwest corner of said Lot 11 and running thence South along the West line of Blaine Avenue 62 feet; thence West parallel with the South line of said Lot 133.25 feet to the West line of said Lot; thence North along said West line 29 feet to the South line of Chicago Avenue; thence Northeasterly along South line of Chicago Avenue 139.25 feet to the place of beginning, according to the plat of said Gladstone Park recorded September 7, 1887 as Document 38039, in DuPage County, Illinois.



REVISOR LEGAL 4-3-84

Legend	
A = ascertained distance	CH = closed
M = measured distance	• = found iron
D = deed	S = set iron
Concrete shown shaded	
--- = fence line	
--- = lot line of building	
Scale 1" = 70' feet	

Date of Survey MARCH 23, 1984

State of Illinois

County of DuPage

I hereby certify that the above described property has been surveyed, under my supervision, according to the official record and that the above plat correctly represents said survey. All distances are in feet and decimals thereof.

I hereby further certify that unless otherwise shown, the buildings on the parcel are within property lines and the adjoining improvements do not encroach on the above described property.

Martin O. Sedig

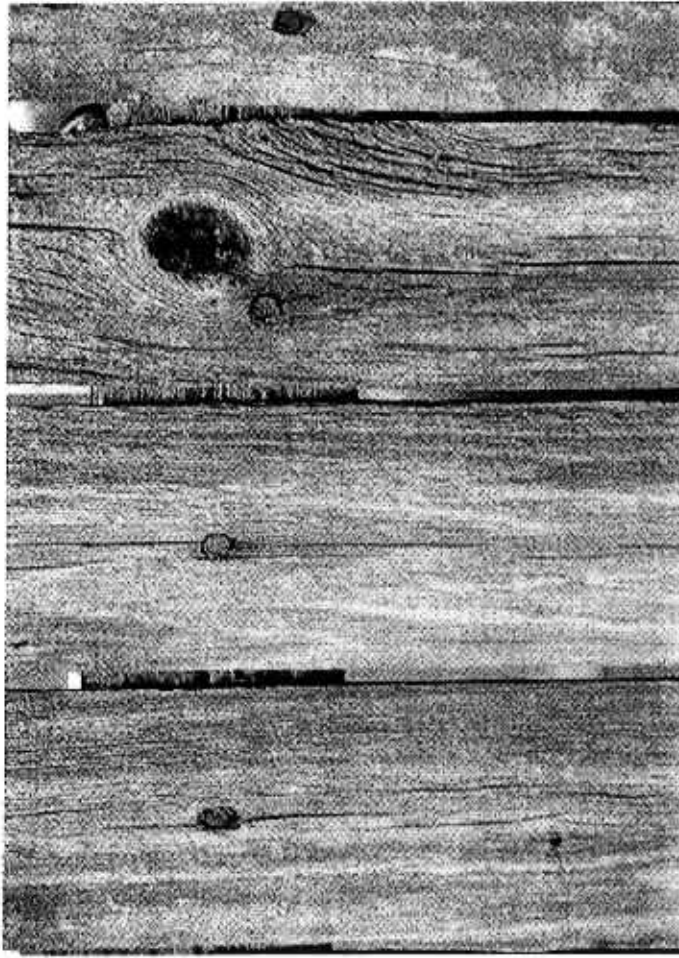
Compare the description of this plat with deed. Refer to title policy for items of record not shown above.



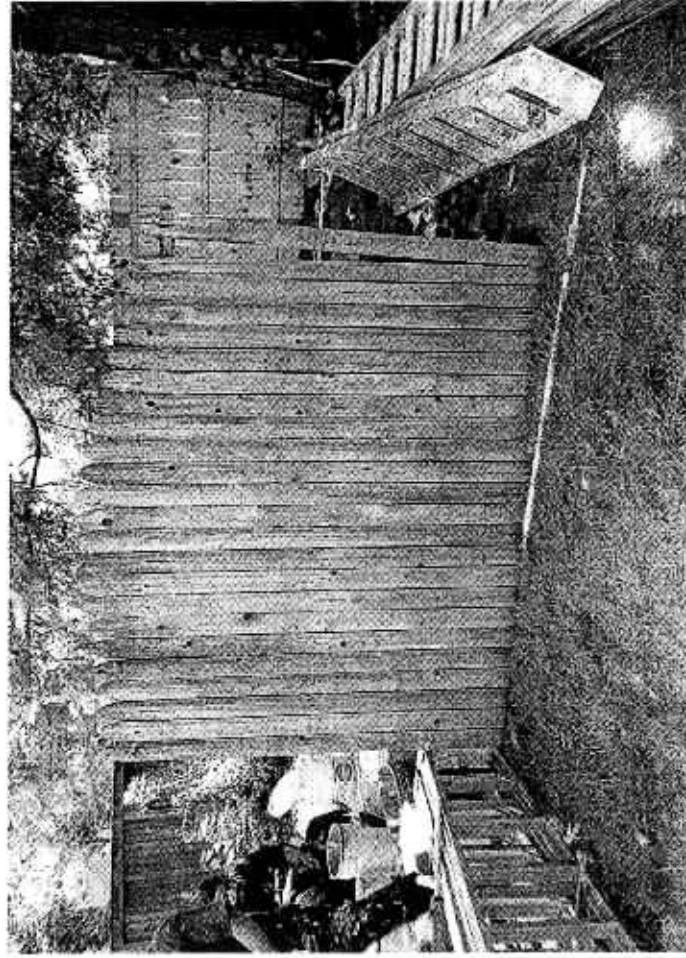
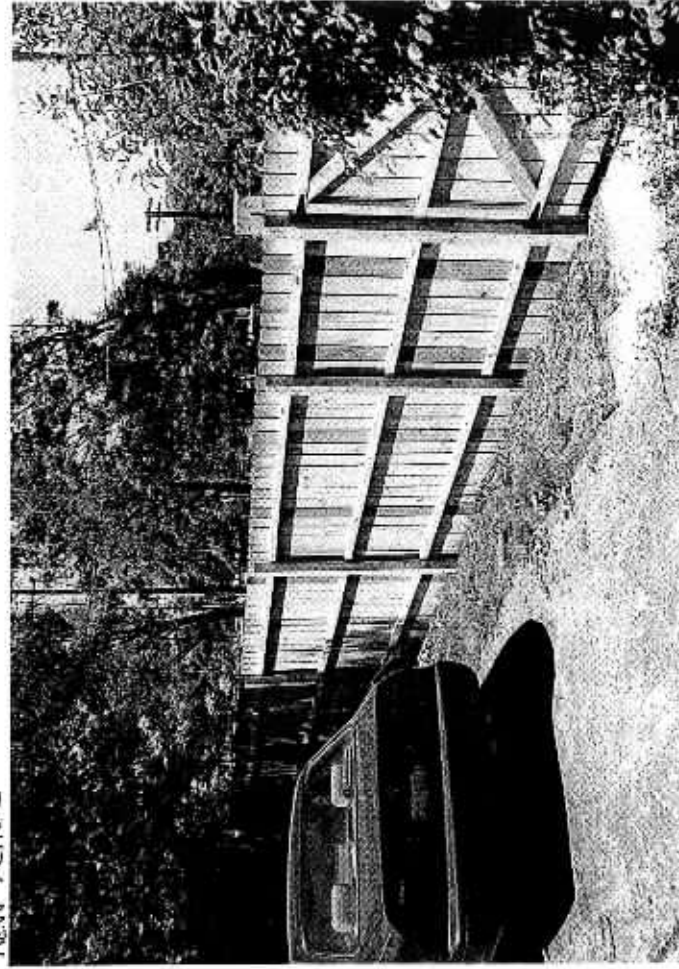
SCHLAF - SEDIG
& ASSOCIATES, INC.

Hinsdale, Illinois 60143
(312) 774-1761

Old Fence.



New Fence

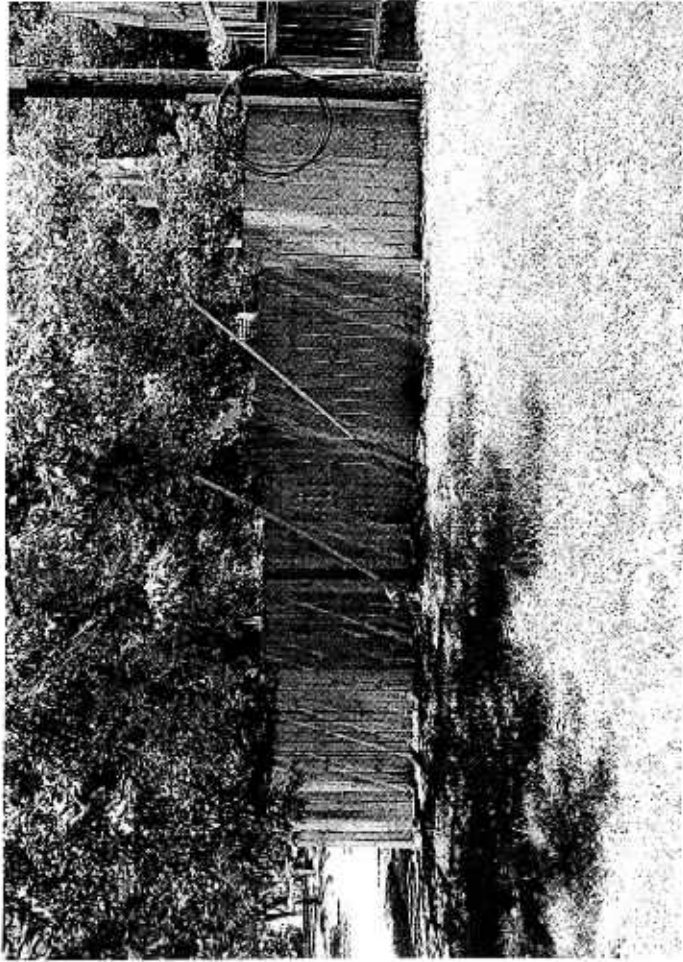


Again, Old Fence



Old Rotten Fence Next To New Fence. Note same height as existing.

New Fence (Facing West - Back of yard)




New Fence (Facing North - Side of Yard)



Looking West along side yard + backyard

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: September 8, 2010
Re: Memorial Hall Generator Fence – 19 E. Chicago Avenue

REQUEST

The petitioner, the Village of Hinsdale, is requesting exterior appearance and site plan review to allow for a 6-foot ornamental fence to be located around the existing generators on the south side of the Villages' Memorial Hall. The property is zoned IB, Institutional Buildings and as such requires site plan/exterior appearance approval for any improvements made on the property. While the fence is permanent in material, it will be temporary in nature as George Franco, Director of Public Services has indicated that the fence is an affordable alternative intended to provide security and protect individuals from the existing generators until the Village is able to secure funds to place a more permanent fence around the site. The Village has had several problems in the recent past where individuals have breached the existing cloth fence thereby creating unnecessary liabilities for the Village. The proposed ornamental fence would alleviate that concern until the Village is able to secure the appropriate funds for a permanent structure. While the proposed fence does not attach to the building and therefore does not require a Certificate of Appropriateness from the Historic Preservation Commission, Mr. Franco has indicated that the intent is to eventually secure funding to build a permanent, masonry fence that will tie into Village Hall both physically and aesthetically, which would ultimately require approval from both the Historic Preservation Commission and the Plan Commission. In addition, Certificates of Appropriateness are not required in connection with any permit necessary to correct what is determined to be an immediate health or safety problem.

On a non-residential lot, the building code permits an 8-foot fence. As such the fence meets the requirements of the Village's Building Code. The style and size of the fence can be identified in the attached documents provided by the applicant.

Cc: President Cauley and the Village Board of Trustees

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: Village of Hinsdale

Owner's name (if different): _____

Property address: 19 E. Chicago Avenue

Property legal description: [attach to this form]

Present zoning classification: IB, Institutional Buildings

Square footage of property: 158,400 square feet

Lot area per dwelling: N/A

Lot dimensions: 330' x 480'

Current use of property: Village Hall and Hinsdale Public Library

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:

Install a 6'-0" ornamental fence around existing generators on south side of building.

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front:	<u>185'</u>	<u>35'</u>
interior side(s)	<u>N/A /</u>	<u>N/A /</u>

Provided:

Required by Code:

corner side	<u>162'/40'</u>	<u>35'/35'</u>
rear	<u>110'</u>	<u>25'</u>

Setbacks (businesses and offices):

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

N/A

Building heights:

principal building(s):	<u>Existing</u>	<u>40'</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>	<u>N/A</u>
------------------------	------------	------------

Total building coverage:	<u>N/A</u>	<u>N/A</u>
--------------------------	------------	------------

Total lot coverage:	<u>N/A</u>	<u>N/A</u>
---------------------	------------	------------

Floor area ratio:	<u>< .50</u>	<u>.50</u>
-------------------	-----------------	------------

Accessory building(s):	<u>N/A</u>
------------------------	------------

Spacing between buildings:[depict on attached plans]

principal building(s):	<u>N/A</u>	<u> </u>	<u> </u>
accessory building(s):	<u>N/A</u>	<u> </u>	<u> </u>

Number of off-street parking spaces required: Approx. 100 (based on gross square footage).

Number of loading spaces required: 1

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: *David Close*
Applicant's signature

David Close
Applicant's printed name

Dated: 8-16, 2010.

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Plan Commission File for 19 E. Chicago Avenue, regarding Exterior Appearance/Site Plan Review in 2010, for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

The Village of Hinsdale

Address or description of subject property:

19 E. Chicago Avenue, Hinsdale, IL 60521

Use or proposal for subject property for which certificate is issued:
Installation of a 6'-0" ornamental fence around the existing generators for the Memorial Building

Plans reviewed, if any: *See attached plans, if any* - See Plan Commission File for 19 E. Chicago Avenue, regarding Exterior Appearance/Site Plan Review in 2010.

Conditions of approval of this certificate:

The Board of Trustee's adopt an Ordinance that grants the following requests:

- Section 11-606 of the Hinsdale Zoning Code pertaining to the Exterior Appearance Review.
- Section 11-604 of the Zoning Code governing Site Plan Review.

Note: other conditions may be attached to approval of any pending zoning application.

NOTE ALL OF THE FOLLOWING CAREFULLY:

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Village's understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.

This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.

By: 
Village Manager

Dated: 8/16, 2010



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Please Note: You MUST complete and attach all appropriate applications and standards applicable to your specific request to this application.

Applicant

Name: Village of Hinsdale – Public Works

Address: 19 E. Chicago Ave.

City/Zip: Hinsdale, Il. 60521

Phone/Fax: (630) 789-7090 /

E-Mail: gfranco@villageofhinsdale.org

Owner

Name: Same as applicant

Address: _____

City/Zip: _____

Phone/Fax: (____) _____ / _____

E-Mail: _____

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name: _____

Title: _____

Address: _____

City/Zip: _____

Phone/Fax: (____) _____ / _____

E-Mail: _____

Name: _____

Title: _____

Address: _____

City/Zip: _____

Phone/Fax: (____) _____ / _____

E-Mail: _____

Disclosure of Village Personnel: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)

- 1) George Franco, Director of Public Works
- 2) Robb McGinnis, Director of Community Development/Building Commisioner
- 3) Sean Gascoigne, Village Planner

II. SITE INFORMATION

Address of subject property: 19 E. Chicago Avenue (Memorial Hall)

Property identification number (P.I.N. or tax number): 09-01-332-001, -002, -003 and -004

Brief description of proposed project: Installation of new 6'-0" ornamental fence around the existing generators on the south side of Memorial Hall.

General description or characteristics of the site: Memorial Hall containing Village Hall and the Hinsdale Public Library

Existing zoning and land use: IB – Institutional Buildings District

Surrounding zoning and existing land uses:

North: R-4, Single Family Residential South: OS, Open Space District (Burlington Park)

East: R-4, Single Family and Post Office West: R-5, Multi Family & B-1, Business District

Proposed zoning and land use: No Change

Existing square footage of property: 3.64 acres

Existing square footage of all buildings on the property: 25,000 square feet

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☒ Site Plan Disapproval 11-604

☐ Map and Text Amendments 11-601E
Amendment Requested: _____

☐ Design Review Permit 11-605E

☒ Exterior Appearance 11-606E

☐ Planned Development 11-603E

☐ Special Use Permit 11-602E

Special Use Requested: _____

☐ Development in the B-2 Central Business District Questionnaire

TABLE OF COMPLIANCE

Address of proposed request: 19 E. Chicago Ave.

The following table is based on the IB Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	50,000	158,400 sq. ft.
Minimum Lot Depth	250	480 feet
Minimum Lot Width	200	330 feet
Building Height	40	N/A (Existing Building)
Number of Stories	N/A	3
Front Yard Setback	35	185 feet
Corner Side Yard Setback	35/35	162 feet/ 40 feet
Interior Side Yard Setback	N/A	N/A
Rear Yard Setback	25	110 feet
Maximum Floor Area Ratio (F.A.R.)*	.50	< .50
Maximum Total Building Coverage*	N/A	N/A
Maximum Total Lot Coverage*	N/A	N/A
Parking Requirements		
Parking front yard setback	N/A	N/A
Parking corner side yard setback	N/A	N/A
Parking interior side yard setback	N/A	N/A
Parking rear yard setback	N/A	N/A
Loading Requirements	N/A	N/A
Accessory Structure Information	15'-0"	N/A

* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance:

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE 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 SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 16th day of August, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.



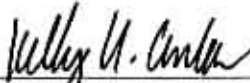
Signature of applicant or authorized agent

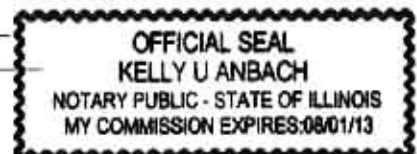
Signature of applicant or authorized agent

Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 16 day of
August, 2010.


Notary Public





COMMUNITY DEVELOPMENT
DEPARTMENT
**EXTERIOR APPEARANCE AND
SITE PLAN REVIEW CRITERIA**

Address of proposed request: 19 E. Chicago Avenue (Memorial Hall)

REVIEW CRITERIA

Section 11-606 of the Hinsdale Zoning Code regulates Exterior appearance review. The exterior appearance review process is intended to protect, preserve, and enhance the character and architectural heritage and quality of the Village, to protect, preserve, and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. Please note that Subsection Standards for building permits refers to Subsection 11-605E Standards and considerations for design permit review.

*****PLEASE NOTE*** If this is a non-residential property within 250 feet of a single-family residential district, additional notification requirements are necessary. Please contact the Village Planner for a description of the additional requirements.**

FEES for Exterior Appearance/Site Plan Review:

Standard Application: \$600.00

Within 250 feet of a Single-Family Residential District: \$800

Below are the criteria that will be used by the Plan Commission, Zoning and Public Safety Committee and Board of Trustees in reviewing Exterior Appearance Review requests. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades. N/A
2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures. The fence would be an ornamental aluminum fence with the appearance of wrought iron which would replace the existing fabric fence
3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood. Again, the fence is intended to replace the existing fabric fence and will look like wrought iron until the Village can secure sufficient funds to install a masonry fence.
4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. N/A

-
5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. The proposed fence would be 6'-0" in height
-
6. *Proportion of front façade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. N/A
-
7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. N/A
-
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. N/A
-
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A
-
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A
-
11. *Relationship of materials and texture.* The relationship of the materials and texture of the façade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. While the proposed fence will not be made of the same materials as Memorial Hall, its appearance should be visually compatible and appealing.
-
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. N/A
-
13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. N/A
-
14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. N/A
-

15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this be vertical character, horizontal character, or non-directional character.

N/A

16. *Special consideration for existing buildings.* For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing.
-
-

REVIEW CRITERIA – Site Plan Review

Below are the criteria that will be used by the Plan Commission and Board of Trustees in determining if the application does not meet the requirements for Site Plan Approval. Briefly describe how this application will not do the below criteria. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

Section 11-604 of the Hinsdale Zoning Code regulates Site Plan Review. The site plan review process recognizes that even those uses and developments that have been determined to be generally suitable for location in a particular district are capable of adversely affecting the purposes for which this code was enacted unless careful consideration is given to critical design elements.

1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable. N/A
-

2. The proposed site plan interferes with easements and rights-of-way. N/A
-

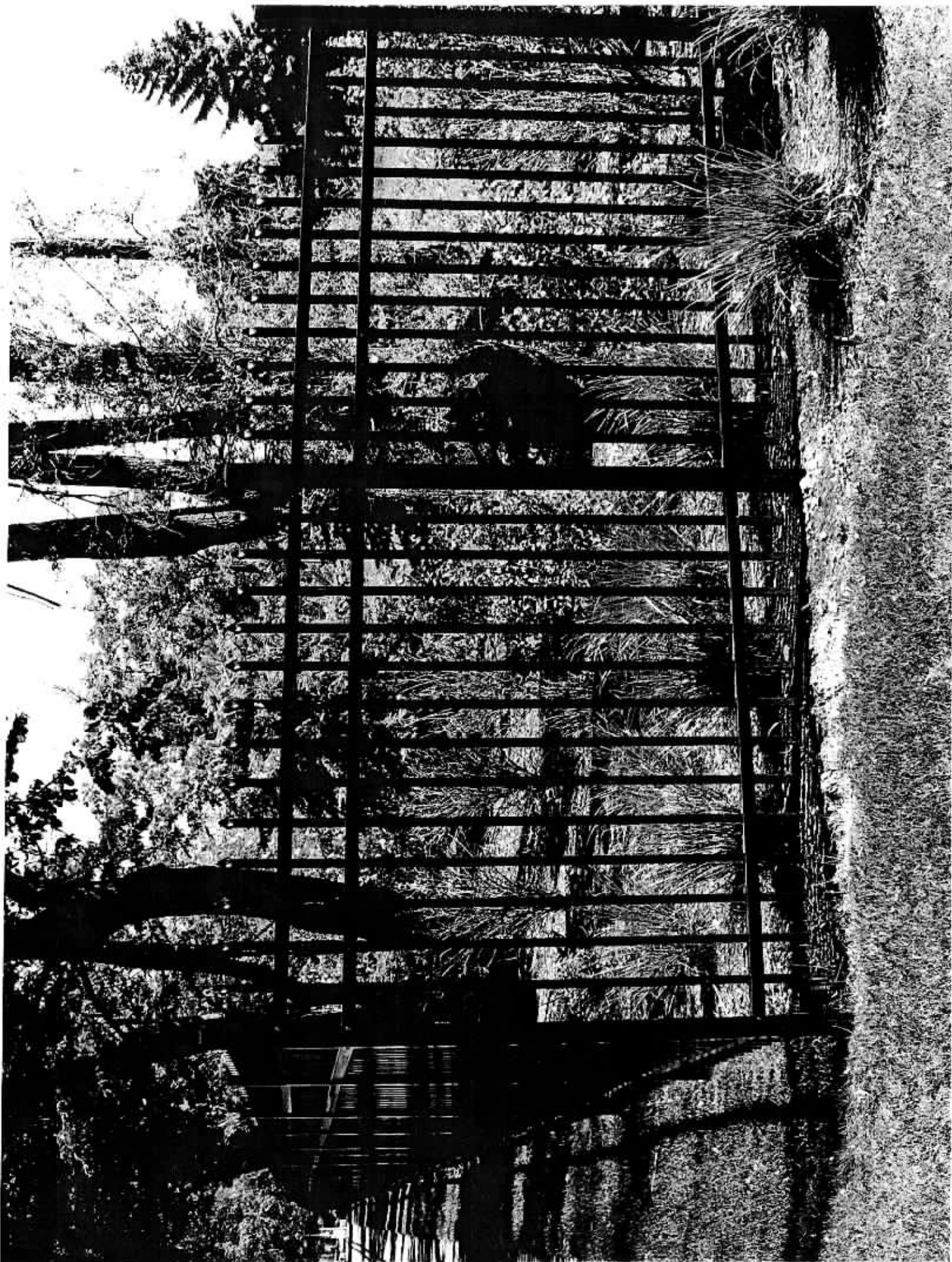
3. The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site. Installation of the fence will not interfere with any of the above
-

4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. The proposed fence will replace the existing fabric fence and will be far more appealing. Beyond that, it will provide security and protection from the existing generators.
-


5. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably creates hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off the site.

N/A

6. The screening of the site does not provide adequate shielding from or for nearby uses.
N/A
-
7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. The proposed fence will be compatible with Memorial Hall.
8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. N/A
-
9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. N/A
-
10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. N/A
-
11. The proposed site plan does not provide for required public uses designated on the Official Map. N/A
-
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. The proposed fence will actually improve these factors as it will protect individuals from getting in and around the existing generators which has been a problem to date.
-



Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: September 8, 2010
Re: Public Hearing for Case A-09-2010
Applicant: Village of Hinsdale
Request: Text Amendment to Section 5-110G (Bulk, Space, And Yard Requirements),
of the Hinsdale Zoning Code as it relates to existing non-conforming
structures in the B-2, Central Business District.

The Applicant, the Village of Hinsdale, has submitted an application to amend Section 5-110G of the Village of Hinsdale Zoning Code, as it relates to existing non-conforming structures in the B-2 Central Business District, and the allowance for them to be rebuilt to their current standing.

At the Plan Commission meeting of July 14th, the Commission was generally in support of the amendment, but wanted to see it within the context of an ordinance to offer suggestions for tightening up some of the language. Attached is the requested ordinance for comments and any suggestions regarding the language should be forwarded on as part of the recommendation to the ZPS and Village Board.

Attachment

Cc: President Cauley and Village Board of Trustees

DRAFT

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ARTICLE V (BUSINESS DISTRICTS),
SECTION 5-110 (BULK, SPACE AND YARD REQUIREMENTS)
SUBSECTION A (MAXIMUM HEIGHT) AND SUBSECTION G
("EXCEPTIONS AND EXPLANATORY NOTES") OF THE
HINSDALE ZONING CODE REGARDING OVERALL BUILDING
HEIGHT IN THE B-2 CENTRAL BUSINESS DISTRICT
(Plan Commission Case No. A-09-2010)**

WHEREAS, the Applicant, the Village of Hinsdale, seeks to amend Article V (Business Districts), Section 5-110 (Bulk, Space and Yard Requirements), Subsection A (Maximum Height) and Subsection G (Exceptions and Explanatory Notes) of the Hinsdale Zoning Code regarding maximum building height in the B-2 Central Business District for principal structures in existence prior to April 20, 2010 ("the Application"); and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing to consider the Application on July 14, 2010 and September 8, 2010, pursuant to notice thereof properly published in the *Hinsdalean* on June 24, 2010, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for Plan Commission Case No. A-09-2010; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on _____, 2010, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have considered the Findings and Recommendation of the Plan Commission and all of the facts and circumstances affecting the Application, and the President and Board of Trustees have determined that it is appropriate to amend the Hinsdale Zoning Code as provided in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Amendment of Section 5-110. Article V (Business Districts), Section 5-110 (Bulk, Space, and Yard Requirements), Subsection A ("Maximum Height") and Subsection G ("Exceptions and Explanatory Notes") of the Hinsdale Zoning Code are amended by adding the following underlined language to read as follows:

Sec. 5-110. Bulk, Space, And Yard Requirements:

The building height, lot, yard, setback, floor area ratio, and coverage requirements applicable in the business districts are set forth in the following table. Footnote references appear in subsection G of this section at the end of the table.

B-1 B-2 B-3

A. Maximum Height¹:

1. Principal structures:

(a) Feet	30	30 ^{2,14}	30
(b) Stories (whichever is less)	2	2 ¹⁴	2
*	*	*	*

G. Exceptions And Explanatory Notes:

* * * *

14. Height Increases For Principal Structure Existing Before April 20, 2010, In The B-2 District: A principal structure in the B-2 district that as of April 20, 2010, exceeds two (2) stories and/or thirty (30) feet in "height," as that term is defined in section 12-206 of this code, as amended, may be altered, renovated, replaced, maintained, repaired or reconstructed to the same condition that existed as of said date, including, but not limited to, the number of stories, height, lot coverage and setback of the principal structure, notwithstanding the non-conformance of the principal structure before and after the alteration, renovation, replacement, maintenance, repair or reconstruction; provided, however, the protection afforded by this note shall not apply to any such structure that is brought into conformance after April 20, 2010.

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2010.


Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

Z:\PLS\Village of Hinsdale\Ordinances\2010\10-xx Sec. 5-110 08-19-10.doc

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: September 8, 2010
Re: Public Hearing for Case A-13-2010
Applicant: John Weinberger/Continental Motors
Request: Special Use Permit to allow a Planned Development and Site Plan/Exterior Appearance Approval for façade improvements to the existing car dealership at 420 E. Ogden Avenue

The applicant, Continental Motors is requesting a Special Use Permit to allow a Planned Development and Site Plan/Exterior Appearance Approval for exterior work to the façade of the existing car dealership at 420 E. Ogden Avenue. In 2007, Continental Motors came before the Village Board to request various approvals, which included text amendments to allow a Planned Development providing for the expansion of the existing car dealership along Ogden Avenue, as well as the actual Special Use for the Planned Development and Site Plan/Exterior Appearance approval for the expansion of the existing car dealership. On August 27th, 2007 the ZPS forwarded this request on to the Village Board meeting of September 4th with a favorable and unanimous vote where it was then approved unanimously by the Village Board as Ordinance #O2007-62 (attached herein). Recent structural issues prompted the applicant to apply for permits to make these repairs and use this opportunity to request a Major Adjustment to the Planned Development and propose the façade changes to the Village Board. It was at this time that staff identified an error made during the initial approval process in 2007. While the text amendment allowing the dealership to request the Planned Development was approved, the latter requests which included the Special Use for the Planned Development and Exterior Appearance/Site Plan Review, were erroneously dropped from the request during the process, and subsequently never approved. While two motions and two approving ordinances should have been executed (one for the text amendments and one for the remaining approvals), only the ordinance regarding the text amendment was ever adopted leaving all remaining requests unapproved. The applicant has agreed to come back and obtain the approvals for the processes which they assumed had already been in place, however due to the severity and risks involved with the existing damage they requested that the Board discuss and consider the possibility of allowing them to move ahead with repairs, including the minor modification to the façade (illustrated in the attached documents) while they come back through to redo the processes that were inadvertently not included as part of the approval in 2007.

On May 10, 2010 and May 18, 2010, the EPS and Village Board, respectively, discussed the issues above and unanimously agreed that they were in favor of allowing the applicant to move forward with obtaining conditional permits to make the necessary repairs, including the proposed

alterations, while they resubmit and go through the process to secure approval for the Planned Development.

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook

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: Douglas Capocci
Owner's name (if different): John F. Weinberger / Continental Classic Motors
Property address: 420 E. Ogden Ave
Property legal description: [attach to this form]
Present zoning classification: B-3
Square footage of property: 45,027
Lot area per dwelling: N/A
Lot dimensions: 150 X 300
Current use of property: Auto Dealership
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:

Repair + replace Northeastern section of existing building

Plans & Specifications: [submit with this form]

Provided:

Required by Code:

Yards:

front:
***interior side(s)**

N/A
24.4' / 0'

N/A
10' / 10'

Provided:

Required by Code:

corner side
rear

N/A
60.69'

N/A
20'

Setbacks (businesses and offices):

front:
interior side(s)
corner side
rear
others:

91.07'
24.4' 10'
N/A
60.69'
N/A

100'
10' 10'
N/A
20'
N/A

* Ogden Ave. Center:
York Rd. Center:
Forest Preserve:

91.07'
N/A
N/A

100'
N/A
N/A

Building heights:

principal building(s):
accessory building(s):

14.5'
N/A

30'
N/A

Maximum Elevations:

principal building(s):
accessory building(s):

N/A
N/A

N/A
N/A

Dwelling unit size(s):

N/A

N/A

Total building coverage:

N/A

N/A

* Total lot coverage:

100%

90%

Floor area ratio:

46%

50%

Accessory building(s):

N/A

Spacing between buildings: [depict on attached plans]

principal building(s):
accessory building(s):

N/A
N/A

* Number of off-street parking spaces required:

100 (at 1/200)

* Number of loading spaces required:

1

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

Douglas F Capocci

Applicant's printed name

Dated:

5/5

, 2010.

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Application # A-13-2010 for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

John Weinberger/Continental Classic Motors

Address or description of subject property:

420 E. Ogden , Hinsdale Illinois 60521

Use or proposal for subject property for which certificate is issued:

Special Use Permit for a Planned Development and Exterior Appearance/Site Plan

Review for Repair and replacement of portions of the existing car dealership.

Plans reviewed if any: *See attached plans, if any. – PC Case A-13-2010*

Conditions of approval of this certificate:

- The petitioner must obtain approval for the requested Plan Development, including the following waivers for existing conditions:
 - Reduction in the number of required parking spaces from 100 spaces to 40 spaces;
 - Reduction in the number of required loading spaces from 1 space to 0 spaces;
 - Reduction of the front yard setback from 100 feet to 91.07 feet;
 - Reduction of the (east) side yard setback from 10 feet to 0 feet;
 - Allow a total lot coverage of 100% in lieu of the required 90%;
- and any other waivers as determined for said approval.

The Board of Trustee's adopt an Ordinance that grants the following requests:

- Subsection 11-602E pertaining to Standards for special use permits (which includes the following conditions);
- Subsection 11-603E pertaining to Standards for Planned Developments; and
- Subsection 11-604F pertaining to Standards for site plan disapproval
- Subsection 11-606E pertaining to Standards for building permits (exterior appearance review), which refers to Subsection 11-605E Standards and considerations for design review permit.

Note: other conditions may be attached to approval of any pending zoning application.

NOTE ALL OF THE FOLLOWING CAREFULLY:

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Villages' understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.

This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.

By:


Village Manager

Dated:

7/9, 2010



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant	<u>LaMantia Construction</u>
Name:	<u>Douglas E. Capacci</u>
Address:	<u>9100 W Ogden Ave.</u>
City/Zip:	<u>Brookfield, IL 60513</u>
Phone/Fax:	<u>(708) 906-9356 / 708-485-2023</u>
E-Mail:	<u>dcapacci@lamantia.com</u>

Owner	<u>Continental Classic Motors</u>
Name:	<u>John F. Weinberger</u>
Address:	<u>420 E. Ogden Ave</u>
City/Zip:	<u>Hinsdale, IL 60521</u>
Phone/Fax:	<u>(630) 655-3535</u>
E-Mail:	_____

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name:	<u>Styczynski/Walker Architects</u>
Title:	<u>Bill Styczynski</u>
Address:	<u>PO Box 1253</u>
City/Zip:	<u>Downers Grove 60559</u>
Phone/Fax:	<u>(630) 789-2513 / 630-724-0983</u>
E-Mail:	<u>aws@swa-architects.com</u>

Name:	_____
Title:	_____
Address:	_____
City/Zip:	_____
Phone/Fax:	() _____ / _____
E-Mail:	_____

Disclosure of Village Personnel: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)

- 1) _____
- 2) _____
- 3) _____

II. SITE INFORMATION

Address of subject property: 420 E. Ogden Ave Hinsdale
09-01-212-004
Property identification number (P.I.N. or tax number): 09-01-212-005
Brief description of proposed project: Front Facade Repair & Roof
reconstruction

General description or characteristics of the site: Auto dealership

Existing zoning and land use: Commercial

Surrounding zoning and existing land uses:

North: Commercial

South: Residential

East: Commercial

West: Commercial

Proposed zoning and land use: _____

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☒ Site Plan Disapproval 11-604

☒ Design Review Permit 11-605E

☒ Exterior Appearance 11-606E

☒ Special Use Permit 11-602E

Special Use Requested: _____

☒ Map and Text Amendments 11-601E

Amendment Requested: Amend to zoning
code to allow dealership to be planned
development to allow for building addition
+ structural repairs

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 420 E. Ogden Ave.

The following table is based on the B-3 Zoning District.

	Minimum Code Requirements			Proposed/Existing Development '07'
	B-1	B-2	B-3	
Minimum Lot Area	6,250	2,500	6,250	45,027 sf
Minimum Lot Depth	125'	125'	125'	300'
Minimum Lot Width	50'	20'	50'	150.09
Building Height	30'	35'	30'	14'-6" New Add '07'
Number of Stories	2	3	2	1
Front Yard Setback	25'	0'	100' 25"	91.07'
Corner Side Yard Setback	25'	0'	25'	N/A
Interior Side Yard Setback	10'	0'	10'	24.4' / 0'-0"
Rear Yard Setback	20'	20'	20'	60.69'
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	46%
Maximum Total Building Coverage*	N/A	80%	N/A	N/A
Maximum Total Lot Coverage*	90%	100%	90%	100%
Parking Requirements				
			1/200	
Parking front yard setback			100	40
Parking corner side yard setback			N/A	N/A
Parking interior side yard setback			N/A	N/A
Parking rear yard setback			N/A	N/A
Loading Requirements			1	0
Accessory Structure Information (height)	15'	15'	15'	

* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: All existing

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE 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 SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 1ST day of June, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

Douglas E Capocci / agent
Signature of applicant or authorized agent

Douglas E Capocci
Name of applicant or authorized agent

Douglas E Capocci
Signature of applicant or authorized agent

Douglas E Capocci
Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 9th day of
July, 2010.

Christine M. Bruton
Notary Public

4

OFFICIAL SEAL
CHRISTINE M BRUTON
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 03/30/14



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

PLANNED DEVELOPMENT CRITERIA

Community Development Department

***Must be accompanied by completed Plan Commission Application**

Address of proposed request: 420 E. Ogden Ave.

Proposed Planned Development request: _____

REVIEW CRITERIA:

Section 11-603 of the Hinsdale Zoning Code regulates Planned developments. The Board of Trustees, in accordance with the procedures and standards set out in Section 11-603 and by ordinance duly adopted, may grant special use permits authorizing the development of planned developments, but only in the districts where such developments are listed as an authorized special use. Planned developments are included in the Zoning Code as a distinct category of special use. As such, they are authorized for the same general purposes as all other special uses. In particular, however, the planned development technique is intended to allow the relaxation of otherwise applicable substantive requirements based on procedural protections providing for detailed review of individual proposals for significant developments. This special regulatory technique is included in the Code in recognition of the fact that traditional bulk, space, and yard regulations of substantially developed and stable areas may impose inappropriate pre-regulations and rigidities upon the development or redevelopment of parcels or areas that lend themselves to an individual, planned approach.

1. *Special use permit standards.* No special use permit for a planned development shall be recommended or granted pursuant to this Section unless the applicant shall establish that the proposed development will meet each of the standards made applicable to special use permits pursuant to Subsection 11-602E of the Zoning Code

We Will meet Standards

2. *Additional standards for all planned developments.* No special use permit for a planned development shall be recommended or granted unless the applicant shall establish that the proposed development will meet each of the following additional standards:

- a. *Unified ownership required.* Agree
- b. *Minimum area.* Agree
- c. *Covenants and restrictions to be enforceable by village.* N/A
- d. *Public open space and contributions.* N/A

e. Common open space.

Amount, location, and use. N/A

Preservation. _____

Ownership and maintenance. _____

Property owners' association. _____

f. Landscaping and perimeter treatment. Existing fence South Lot Line for Screening

g. Building and spacing. Addition in 2004 & 2007 are proposed similar materials and style.

h. Private streets. N/A

i. Sidewalks. N/A

j. Utilities. Existing

Additional standards for specific planned developments. N/A

List all waivers being requested as part of the planned development. many existing non-conformities to be included in waivers



VILLAGE OF HINSDALE

FOUNDED IN 1873

COMMUNITY DEVELOPMENT DEPARTMENT SPECIAL USE PERMIT CRITERIA

Must be accompanied by completed Plan Commission Application

Address of proposed request: 420 E. Ogden Ave

Proposed Special Use request: Plan Development for Facade improvements

Is this a Special Use for a Planned Development? ☐ No ☒ Yes (If so this submittal also requires a completed Planned Development Application)

REVIEW CRITERIA

Section 11-602 of the Hinsdale Zoning Code regulates Special use permits. Standard for Special Use Permits: In determining whether a proposed special use permit should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Plan Commission and Board of Trustees should weigh, among other factors, the below criteria Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

FEES for a Special Use Permit: \$1,225 (must be submitted with application)

1. *Code and Plan Purposes.* The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established.

It will give the front of the building Symetry + repair structural Defects. The building has been a car dealership for 20 yrs

2. *No Undue Adverse Impact.* The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

No Change in character

3. *No Interference with Surrounding Development.* The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations No Interference.

The '07' Plan allowed for more vehicles to be stored inside.
The site & parking will remain the same

4. *Adequate Public Facilities.* The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services. N/A

5. *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. _____

No Change

6. *No Destruction of Significant Features.* The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance. _____

No Change

7. *Compliance with Standards.* The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use. _____

It does

8. *Special standards for specified special uses.* When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. _____

N/A

9. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission shall consider the following:

Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community. _____

N/A

Alternate locations. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site. _____

Mitigation of adverse impacts. Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening. _____

No Adverse Impact



VILLAGE OF HINSDALE

FOUNDED IN 1873

COMMUNITY DEVELOPMENT DEPARTMENT EXTERIOR APPEARANCE AND SITE PLAN REVIEW CRITERIA

Address of proposed request: 420 E. Ogden Hinsdale

REVIEW CRITERIA

Section 11-606 of the Hinsdale Zoning Code regulates Exterior appearance review. The exterior appearance review process is intended to protect, preserve, and enhance the character and architectural heritage and quality of the Village, to protect, preserve, and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. Please note that Subsection Standards for building permits refers to Subsection 11-605E Standards and considerations for design permit review.

*****PLEASE NOTE***** If this is a non-residential property within 250 feet of a single-family residential district, additional notification requirements are necessary. Please contact the Village Planner for a description of the additional requirements.

FEES for Exterior Appearance/Site Plan Review:

Standard Application: \$600.00

Within 250 feet of a Single-Family Residential District: \$800

Below are the criteria that will be used by the Plan Commission, Zoning and Public Safety Committee and Board of Trustees in reviewing Exterior Appearance Review requests. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades. Same as existing building.
(We are only adjusting the front Facade + roof to match)
2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures. Same as existing building
3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood. Same as existing building
4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. Same as existing building
Will Not extend existing building

5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. The front facade will be adjusted to match the 04' addition
6. *Proportion of front facade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. Same as above
7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. Same as existing building
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. East Side will be adjusted to match the west side
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A
11. *Relationship of materials and texture.* The relationship of the materials and texture of the facade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. N/A Same as existing
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. Same as existing
13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. N/A
14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. Match existing West Facade
15. *Directional expression of front elevation.* The buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character,

whether this be vertical character, horizontal character, or nondirectional character.

Match existing West Facade

16. *Special consideration for existing buildings.* For existing buildings, the Plan Commission and the Board of Trustees shall consider the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing.

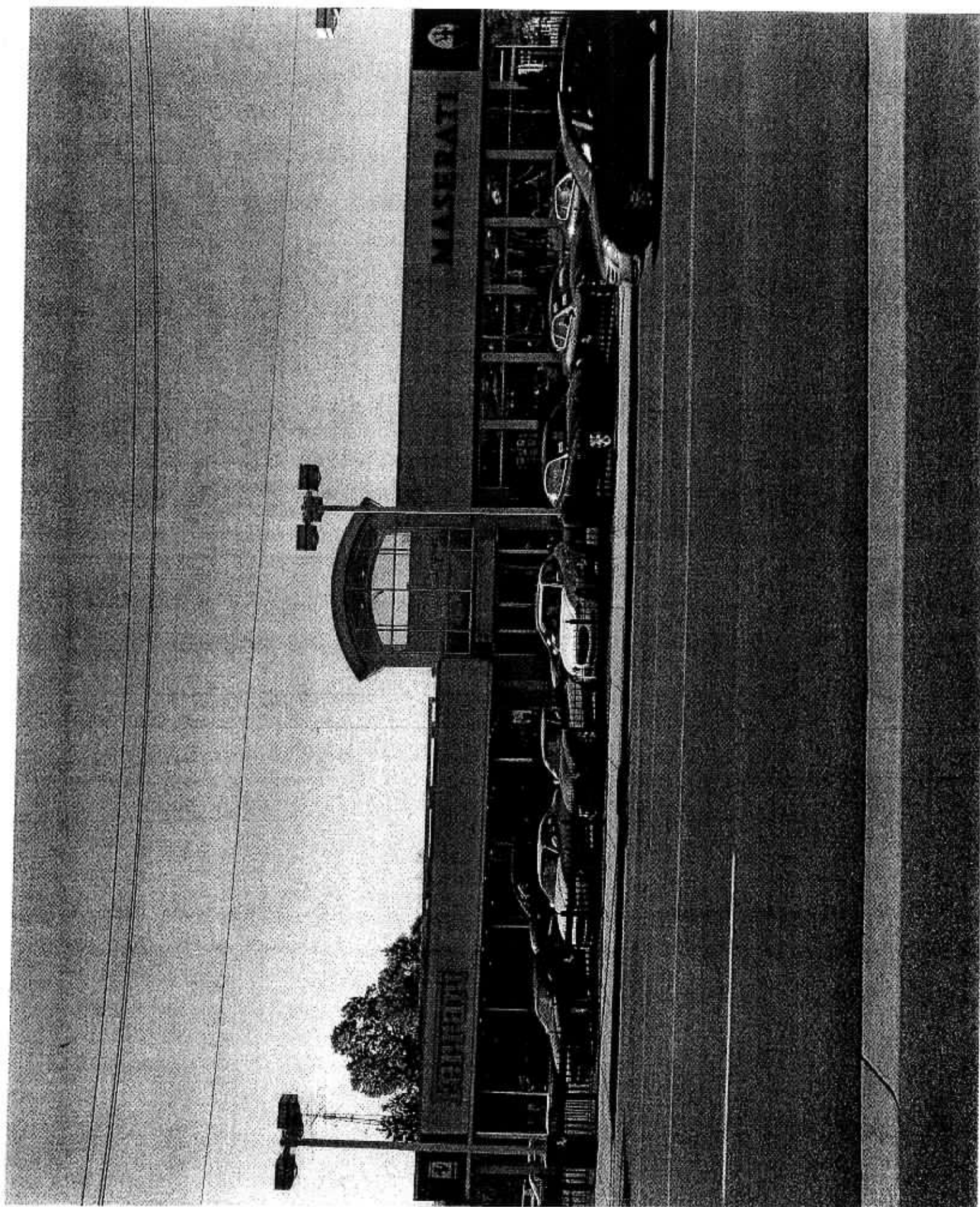
REVIEW CRITERIA – Site Plan Review

Below are the criteria that will be used by the Plan Commission and Board of Trustees in determining if the application does not meet the requirements for Site Plan Approval. Briefly describe how this application will not do the below criteria. Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

Section 11-604 of the Hinsdale Zoning Code regulates Site Plan Review. The site plan review process recognizes that even those uses and developments that have been determined to be generally suitable for location in a particular district are capable of adversely affecting the purposes for which this code was enacted unless careful consideration is given to critical design elements.

1. The site plan fails to adequately meet specified standards required by the Zoning Code with respect to the proposed use or development, including special use standards where applicable. N/A
2. The proposed site plan interferes with easements and rights-of-way. N/A
3. The proposed site plan unreasonably destroys, damages, detrimentally modifies, or interferes with the enjoyment of significant natural, topographical, or physical features of the site. N/A
4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. N/A
5. The proposed site plan creates undue traffic congestion or hazards in the public streets, or the circulation elements of the proposed site plan unreasonably creates hazards to safety on or off site or disjointed, inefficient pedestrian or vehicular circulation paths on or off the site. N/A
6. The screening of the site does not provide adequate shielding from or for nearby uses. N/A

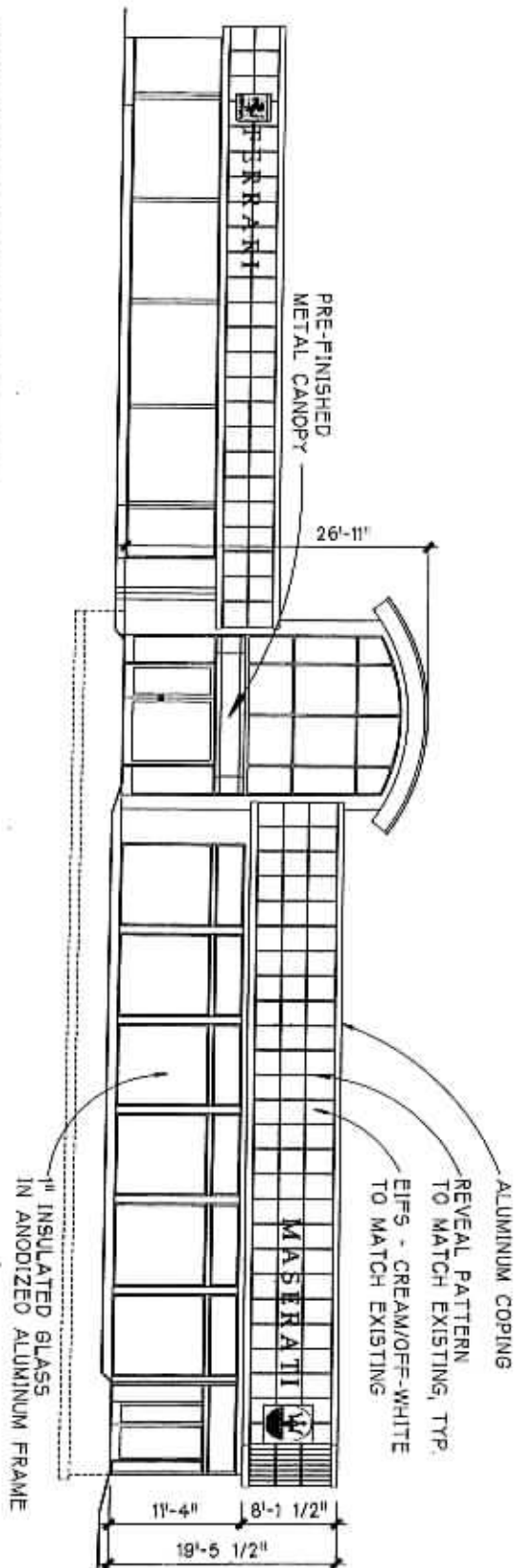
7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. N/A
8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. N/A
9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. N/A
10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. N/A
11. The proposed site plan does not provide for required public uses designated on the Official Map. N/A
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. N/A

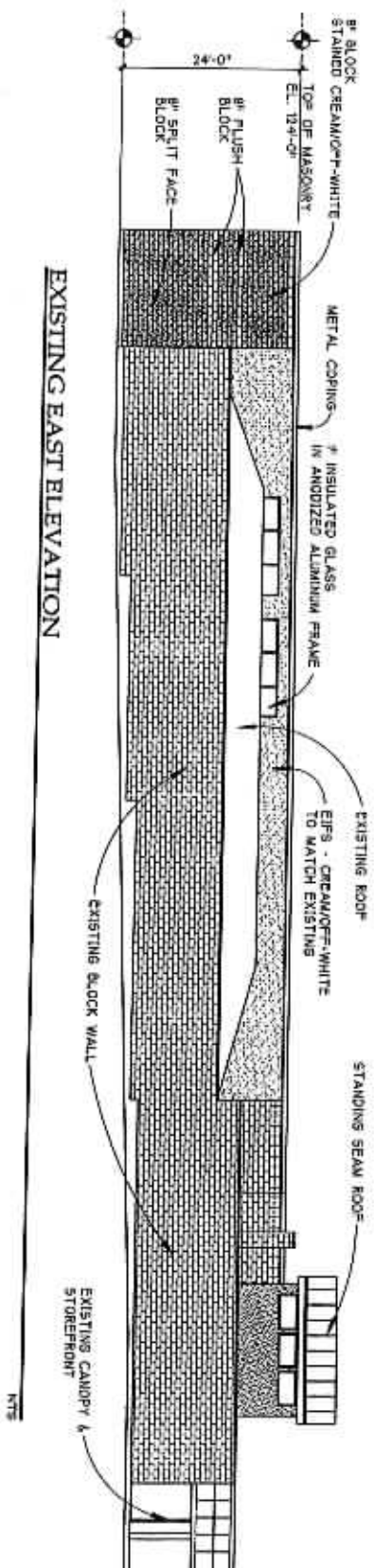


EXISTING ELEVATIONS

EXISTING NORTH ELEVATION

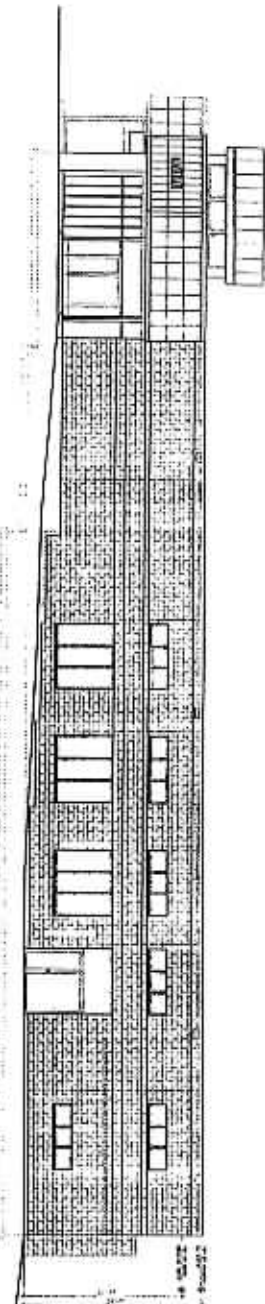
NTS



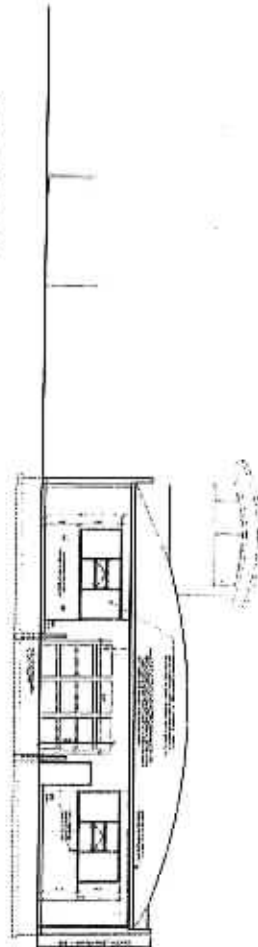


EXISTING EAST ELEVATION

WEST ELEVATION



SOUTH ELEVATION



A4.1
09/20/10

DATE: 06/03/10
REVISIONS:
(ISSUED FOR PERMIT DECISION)

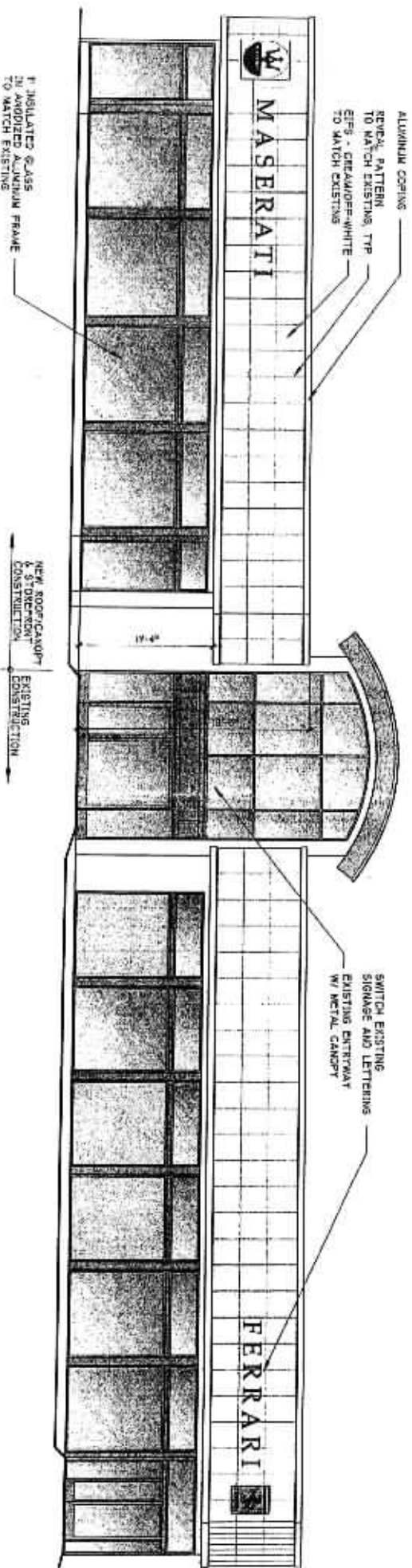
Styczynski Walker & Associates
architects
P.O. Box 1253 Westmont, Illinois 60559
630/789-2513 FAX: 630/724-0963
swn-architects.com

Continental AutoSports Showroom/Roof Renovation
420 E. Ogden Avenue, Hinsdale, Illinois
LaMantia Construction Co., Inc.
9100 W. Ogden Avenue, Brookfield, Illinois ph: 708.207.9400 fax: 708.633.9400

PROPOSED ELEVATIONS

Continental AutoSports

420 E. Ogden Avenue, Hinsdale, Illinois



NORTH ELEVATION

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

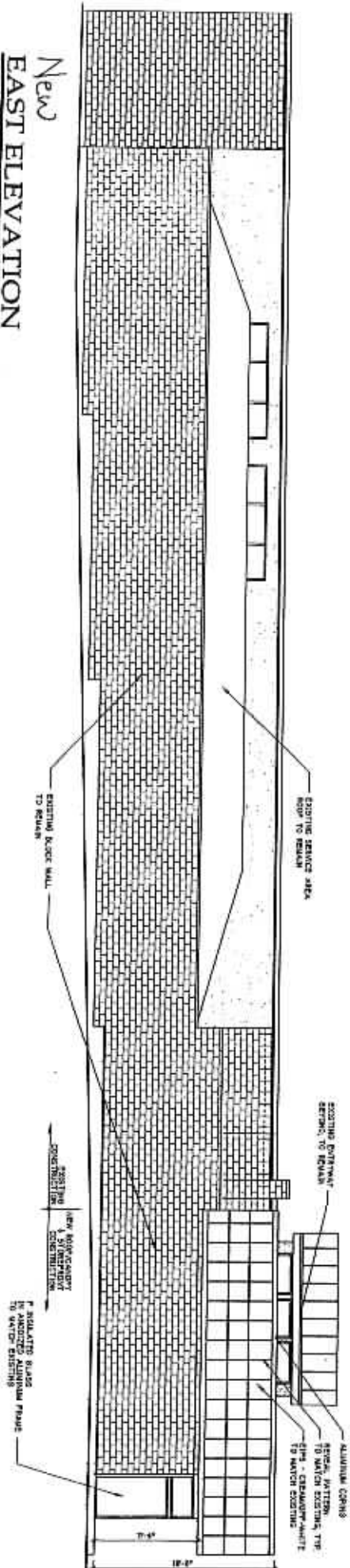


STYCZYNSKI WALKER & ASSOCIATES

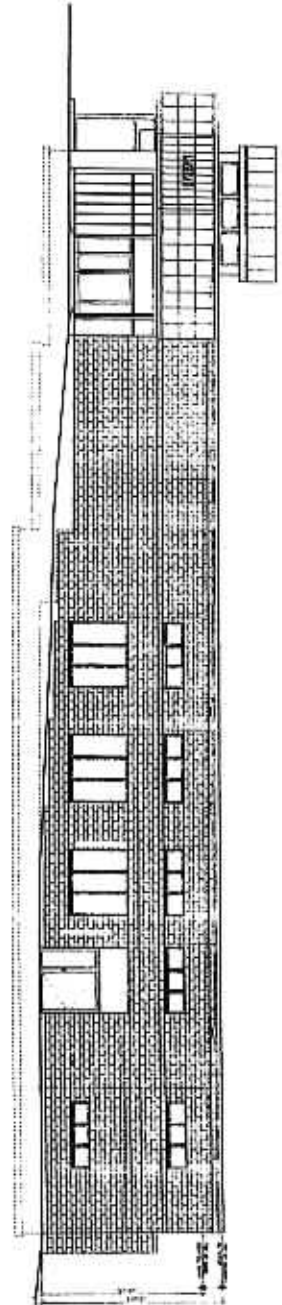
ARCHITECTS
P.O. Box 1225 • Westmont, Illinois 60150 • (708) 793-2515

New EAST ELEVATION

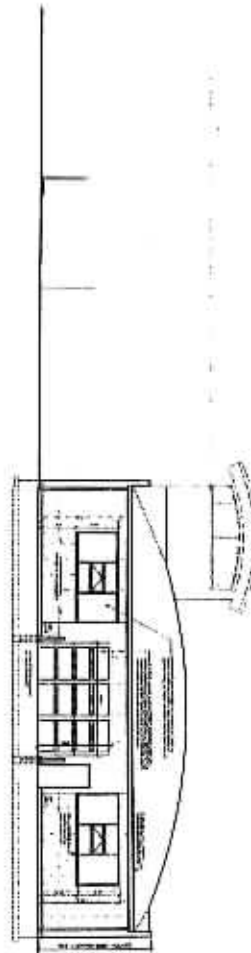
SCALE 3/32" = 1'-0"



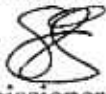
WEST ELEVATION



SOUTH ELEVATION



Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: September 8, 2010
Re: Public Hearing for Case A-017-2010
Applicant: Village of Hinsdale
Request: Text Amendment to Section 11-503 (Variations), of the Hinsdale Zoning Code to give the Board of Trustees the authority to grant certain variations.

The Applicant, the Village of Hinsdale, has submitted an application to amend Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Appeals and Variations), Section 11-503 (Variations), of the Village of Hinsdale Zoning Code, to give the Board of Trustees the authority to grant certain variations.

Currently the zoning code grants the Zoning Board of Appeals the authority to hear applications for variations on a limited number of conditions, while Illinois State Statute affords municipalities the authority for their Village Board to hear variations not otherwise authorized by the Zoning Board of Appeals. The proposed text amendment is intended to bring the current zoning code more in line with current state statutes while still maintaining the Zoning Board of Appeals as an integral part of the process. If approved, the amendment would allow an applicant the ability to request a variation not specifically listed in Section 11-503E, by first receiving a recommendation for approval from the Zoning Board of Appeals, which would then be forwarded on to the Board of Trustees for final action. The proposed process would be very similar to the entitlement process currently being used for almost all Plan Commission cases with the exception that only recommendations for approval would be forwarded on to the Board of Trustees. The ZBA would maintain final authority should the recommendation be to deny the requested variation. The process would only be utilized for variation requests that the ZBA is not currently authorized to hear. The process for all other variation requests would remain the sole authority of the Zoning Board of Appeals.

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook, Village Manager



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**COMMUNITY DEVELOPMENT
DEPARTMENT
ZONING CODE TEXT AND MAP
AMENDMENT APPLICATION**

Must be accompanied by completed Plan Commission Application

Address of the subject property or description of the proposed request: Text Amendment to Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Appeals and Variations), Section 11-503 (Variations), to give the Board of Trustees the authority to grant certain variations.

REVIEW CRITERIA

Section 11-601 of the Hinsdale Zoning Code regulates Amendments. The amendment process established is intended to provide a means for making changes in the text of the Zoning Code and in the zoning map that have more or less general significance or application. It is not intended to relieve particular hardships nor to confer special privileges or rights. Rather, it is intended as a tool to adjust the provisions of the Zoning Code and the zoning map in light of changing, newly discovered, or newly important conditions, situations, or knowledge. The wisdom of amending the text of the Zoning Code is a matter committed to the sound legislative discretion of the Board of Trustees and is not dictated by any set standard. However, in determining whether a proposed amendment should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Board of Trustees should weigh, among other factors, the below criteria.

Below are the 14 standards for amendments that will be the criteria used by the Plan Commission and Board of Trustees in determining the merits of this application. Please respond to each standard as it relates to the application. Please use an additional sheet of paper to respond to questions if needed. If the standard is not applicable, please mark N/A.

1. The consistency of the proposed amendment with the purpose of this Code.

The proposed text amendment would bring the current zoning code more in line with Illinois State Statutes.

2. The existing uses and zoning classifications for properties in the vicinity of the subject property.

N/A

3. The trend of development in the vicinity of the subject property, including changes, if any, such trend since the subject property was placed in its present zoning classification.

N/A

4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it. N/A

5. The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare. N/A

6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment. N/A

7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment. N/A

8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment. The proposed text amendment would only allow an applicant the ability to request a variation not currently authorized by the zoning code. The applicant would still be required to meet all standards currently authorized through the variation process.

9. The suitability of the subject property for uses permitted or permissible under its present zoning classification. N/A

10. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment. N/A

11. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under the present zoning classification.

N/A

12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property. N/A

13. The community need for the proposed amendment and for the uses and development it would allow. The proposed text amendment would bring the current zoning code more in line with Illinois State Statutes. Currently, the only option for an applicant to be heard for a variation not authorized for the zoning code is to file it in Wheaton with the Circuit Courts.
14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area. N/A
-
-



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant

Name: Village of Hinsdale
Address: 19 E. Chicago Ave.
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 789-7030 /
E-Mail:

Owner

Name: N/A
Address:
City/Zip:
Phone/Fax: () /
E-Mail:

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name:
Title:
Address:
City/Zip:
Phone/Fax: () /
E-Mail:

Name:
Title:
Address:
City/Zip:
Phone/Fax: () /
E-Mail:

Disclosure of Village Personnel: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)

- 1) Robert McGinnis, Director of Community Development/Building Commissioner
- 2) Sean Gascoigne, Village Planner
- 3) David Cook, Village Manager

II. SITE INFORMATION

Address of subject property: N/A

Property Identification number (P.I.N. or tax number): - - -

Brief description of proposed project: Text Amendment to Article XI, Section 11-503 (Variations), of the Village of Hinsdale Zoning Code, to give the Board of Trustees the authority to grant certain variations.

General description or characteristics of the site: N/A

Existing zoning and land use: N/A

Surrounding zoning and existing land uses:

North: N/A South: N/A

East: N/A West: N/A

Proposed zoning and land use: N/A

Existing square footage of property: N/A square feet

Existing square footage of all buildings on the property: square feet

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

☐ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☐ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E
Special Use Requested:

☒ Map and Text Amendments 11-601E
Amendment Requested: Article XI, Section 11-503 regarding the Board of Trustee's authority to grant certain variations.

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

☐ Major Adjustment to Final Plan Development

TABLE OF COMPLIANCE

Address of subject property: N/A

The following table is based on the N/A Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	Text Amendment: Not Applicable	
Minimum Lot Depth		
Minimum Lot Width		
Building Height		
Number of Stories	↓	
Front Yard Setback		
Corner Side Yard Setback		
Interior Side Yard Setback		
Rear Yard Setback		
Maximum Floor Area Ratio (F.A.R.)*		
Maximum Total Building Coverage*		
Maximum Total Lot Coverage*		
Parking Requirements		
Parking front yard setback		
Parking corner side yard setback		
Parking interior side yard setback		
Parking rear yard setback		
Loading Requirements		
Accessory Structure Information		

* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: _____

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE 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 SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 9th day of July, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

David C. Code
Signature of applicant or authorized agent

Signature of applicant or authorized agent

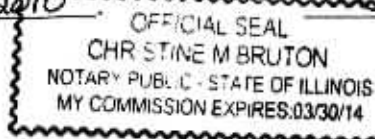
David C. Code
Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 9th day of

July

2010



Christine M. Bruton
Notary Public

DRAFT

VILLAGE OF HINSDALE

**ORDINANCE NO. _____
(Revised)**

**AN ORDINANCE AMENDING ARTICLE XI (ZONING ADMINISTRATION
AND ENFORCEMENT), PART V (INTERPRETATIONS, APPEALS, AND
VARIATIONS), SECTION 11-503 (VARIATIONS) OF THE HINSDALE
ZONING CODE TO GIVE THE BOARD OF TRUSTEES
THE AUTHORITY TO GRANT CERTAIN VARIATIONS
(Plan Commission Case No. _____)**

WHEREAS, the Applicant, the Village of Hinsdale ("Village"), seeks to amend Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Administration and Enforcement), Section 11-503 (Variations) of the Hinsdale Zoning Code to give the Board of Trustees the authority to grant certain variations ("the Application"); and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing to consider the Application on _____, 2010, pursuant to notice thereof properly published in the Hinsdalean on _____, 2010, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for Plan Commission Case No. _____; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on _____, 2010, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have considered the Findings and Recommendation of the Plan Commission and all of the facts and circumstances affecting the Application, and the President and Board of Trustees have determined that it is appropriate to amend the Hinsdale Zoning Code as provided in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Amendment of Section 11-503. Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Administration and Enforcement), Section 11-503 (Variations) of the Hinsdale Zoning Code is amended by deleting the overstricken language and adding the underlined language to read as follows:

Sec. 11-503. Variations.

A. Authority. The Zoning Board of Appeals shall have the authority to grant variations from the provisions of this Code, but only in compliance with the procedures set forth in Subsection D of this Section and in those specific instances enumerated in Subsection E of this Section and then only in accordance with each of the standards enumerated in Subsection F of this Section. The Board of Trustees shall have the authority to grant variations from the provisions of this Code that are not specifically reserved with the Zoning Board of Appeals pursuant to Subsection E of this Section in accordance with each of the standards set forth in Subsection E2 and Subsection F of this Section, but only after a public hearing before the Zoning Board of Appeals pursuant to the requirements of Section 11-301 of this Code and a recommendation by the Zoning Board of Appeals to grant the requested variation. In such instances, the Zoning Board of Appeals shall issue its recommendation within 35 days of the close of the public hearing in the manner and form specified by Subsection 11-102H of this Code.

B. Purpose. The variation procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen particular applications of this Code that create practical difficulties or particular hardships. When such difficulties or hardships are more appropriate for remedy, if at all, pursuant to other provisions of this Article XI, the variation procedure is necessarily inappropriate.

C. Parties entitled to seek variations. Applications for variations may be filed by the owner of, or person having a contractual interest in, the subject property.

D. Procedure.

1. *Application.* Applications for variations shall be filed in accordance with the requirements of Section 11-301 of this Code.

2. *Public hearing.* A public hearing shall be set, noticed, and conducted by the Zoning Board of Appeals in accordance with Subsection 11-303 of this Code.

3. *Action by zoning board of appeals.* Within 35 days following the close of the public hearing, the Zoning Board of Appeals shall render its decision granting or denying the variation, in the manner and form specified by Subsection ~~11-102F~~ 11-102H of this Code. The failure of the Zoning Board of Appeals to act within 35 days, or such further time to which the applicant may agree, shall be deemed to be a decision denying the variation.

E. Authorized variations.

1. *Permitted variations.* The Zoning Board of Appeals may vary the provisions of this Code only as provided in this ~~Paragraph~~ Subsection E1. The authority of the Zoning Board of Appeals to vary the provisions of this Code are subject to the prohibitions set forth in ~~Paragraph~~ Subsection E2 of this Section and proof by the applicant of each of the standards set forth in Subsection F of this Section.

Under no circumstances shall the list of permitted variations in this ~~Paragraph~~ Subsection E1 be construed as an entitlement, right, or claim for any applicant.

The Zoning Board of Appeals may vary the provisions of this Code in the following cases and in no others:

(a) To reduce the dimension of any required yard, setback, or building spacing, and to allow structures and uses to be located in any required yard in addition to, and to a greater degree than, those authorized by applicable district regulations.

(b) To reduce by not more than 10 percent (10%) the required lot width or lot depth of any lot; provided, however, that no such variation shall permit either the development of more than one dwelling unit in addition to the number of dwelling units that could be developed in the absence of such a variation or any increase in the otherwise permitted maximum floor area ratio.

(c) To reduce by not more than 10 percent (10%) the required lot area of any lot, and to reduce by 15 percent (15%) the lot area of any lot meeting all of the following criteria: (i) the subject lot is a legal nonconforming lot of record created by plat or deed recorded before 1923; (ii) the subject lot was vacant on January 1, 1991, or became vacant thereafter by reason of demolition or destruction of a pre-code structure that is not authorized to be rebuilt or replaced pursuant to Subsection 10-104C of this Code; (iii) the subject lot has not, at any

time after 1960, immediately abutted a vacant lot with the same owner as the subject lot when the combination of the vacant lot with the subject lot would have created a lot meeting the lot size standards then applicable to the subject lot; and iv) the subject lot has not immediately abutted any vacant lot since January 1, 1991. No variation pursuant to this subsection shall permit either the development of more than one dwelling unit in addition to the number of dwelling units that could be developed in the absence of such a variation or any increase in the otherwise permitted maximum floor area ratio.

(d) To increase by not more than ten percent (10%) the maximum allowable height of a structure in a nonresidential district, but only where necessary to accommodate variations in grade.

(e) To reduce by not more than twenty percent (20%), or one space, whichever is greater, the minimum number of off-street parking spaces or loading spaces otherwise required.

(f) To vary the number of parking or loading spaces required in connection with a change of use or an increase in use intensity.

(g) To increase by not more than twenty percent (20%) the maximum distance that required parking is permitted to be located from the zoning lot of the use for which such parking is provided.

(h) To allow an increase in height by not more than twenty percent (20%) of the maximum allowable height for the illumination of residential recreational facilities.

(i) To allow the moving of a ~~precode~~ pre-code structure to an extent or in a manner not permitted by ~~subsection~~ Subsection 10-104E of this ~~code~~ Code.

(j) To allow the otherwise prohibited restoration of a partially damaged or destroyed ~~precode~~ pre-code structure or structure devoted to a nonconforming use.

(k) To vary the bulk, yard, and space requirements when a zoning lot, whether vacant or legally used, is reduced in size, by reason of the exercise of the right of eminent domain by an authorized governmental body or by reason of a conveyance made under the specific threat of an eminent domain proceeding, so that the remainder of said zoning lot, or any structure or use on said zoning lot, does not conform with one or more of such bulk, yard, or space requirements of the district in which said zoning lot is located.

(l) To allow, for a period not to extend beyond four (4) years following the effective date of this code Code:

(i) The storage in a parking area in a residential district of more than the maximum number of class I or II vehicles specified in ~~subsection~~ Subsection 9-101D4(e) of this code Code; or

(ii) The storage in a parking area in any required yard in a residential district of class II vehicles; or

(iii) The storage in a parking area in a residential district of no more than one class III vehicle; or

(iv) The provision of buffers and landscaping for class II vehicles other than those required by ~~subsection~~ Subsection 9-107D of this code Code.

Every variation granted pursuant to this ~~subsection~~ Subsection E1(l) shall run only to the applicant, as a personal privilege, and only with respect to the specific vehicle that is the subject of the application.

(m) To increase by not more than twenty percent (20%) the maximum floor area ratio permitted in the R-1 single-family residential district for any proposed development that was the subject of a variation application filed with the village and approved by the zoning board of appeals after January 1, 1989, but before the effective date of this code Code.

(n) To increase by not more than ten percent (10%) the maximum floor area ratio permitted in the B-2 central business district.

(o) To increase by not more than ten percent (10%) the maximum building coverage permitted in the B-2 central business district.

(p) To increase the maximum elevation permitted in the R-1, R-2, R-3 and R-4 single-family residential districts.

(q) To increase by not more than fifteen percent (15%) the maximum allowable height of a personal wireless services antenna support structure that is of a tower design.

(r) To allow the front of a single-family dwelling to be developed to face a frontage other than the frontage it is required to face pursuant to ~~subsection~~ Subsection 3-110I of this code Code.

(s) To reduce by more than ten percent (10%) the required lot width and area of any lot created concurrent with and as part of the terms of an annexation agreement for the land of which the lot is a part. No variation pursuant to this subsection shall permit either the development of more than one dwelling unit in addition to the number of dwelling units that could be developed in the absence of such a variation or any increase in the otherwise permitted maximum floor area ratio.

(t) To increase the maximum floor area ratio not more than the minimum amount required to authorize construction on property in the R-1, R-2, R-3, or R-4 districts of a four hundred forty (440) square foot detached garage accessory to an existing single-family detached dwelling on the subject property, but only to replace an existing attached garage and only if all of the following criteria are met: i) the existing garage is the only garage on the subject property, ii) the existing garage is unusable as a garage, in the determination of the director of public services based on reasonable evidence provided by the applicant, because of flooding outside of the reasonable control or correction of the subject property owner, iii) the proposed detached garage will not exceed a total floor area of four hundred forty (440) square feet and will comply with every other applicable provision of this ~~code~~ Code, iv) the floor area ratio and building coverage of the subject property has not been increased by expansion of the single-family dwelling for at least ten (10) years prior to the date of application for the variation.

2. *Prohibited Variations:* Notwithstanding any other provision of this section, no variation shall be granted that:

(a) Is intended as a temporary measure only; or

(b) Is greater than the minimum variation necessary to relieve the particular hardship or practical difficulty demonstrated by the applicant.

F. Standards For Variations:

1. *General Standard:* No variation shall be granted pursuant to this section unless the applicant shall establish that carrying out the strict letter of the provisions of this ~~code~~ Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this ~~subsection~~ Subsection F.

2. *Unique Physical Condition:* The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

3. *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 Code, for which no compensation was paid.

4. *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.

5. *Not Merely Special Privilege:* The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.

6. *Code And Plan Purposes:* The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this code Code and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan.

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

(a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or

(b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or

(c) Would substantially increase congestion in the public streets due to traffic or parking; or

(d) Would unduly increase the danger of flood or fire; or

(e) Would unduly tax public utilities and facilities in the area; or

(f) Would endanger the public health or safety.

8. *No Other Remedy:* There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

G. *Variation Less Than Requested:* A variation less than or different from that requested may be granted when the record supports the applicant's right to some relief but not to the relief requested.

H. *Conditions On Variations:* ~~The zoning board of appeals~~ Zoning Board of Appeals, or the Board of Trustees as the case may be, may impose such specific conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code Code upon the premises benefited by a variation as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject property or upon public facilities and services. Such conditions shall be expressly set forth in the resolution granting the variation. Violation of any such condition or limitation shall be a violation of this code Code and shall constitute grounds for revocation of the variation.

I. *Affidavit Of Compliance With Conditions:* Whenever any variation authorized pursuant to this section is made subject to conditions and limitations to be met by the applicant, the applicant shall upon meeting such conditions file an affidavit with the village manager so stating.

J. *Effect Of Grant Of Variation:* The grant of a variation shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permits and approval that

may be required by the codes and ordinances of the village including, but not limited to, a certificate of zoning compliance, a building permit, a certificate of occupancy, subdivision approval, and site plan approval.

K. *Limitations On Variations:* Subject to an extension of time granted by the village manager pursuant to ~~subsection~~ Subsection 11-101K of this article, no variation from the provisions of ~~this code~~ Code shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a certificate of occupancy is issued and a use is commenced within that period.

A variation shall be deemed to authorize only the particular construction or development for which it was issued and shall automatically expire and cease to be of any force or effect if such construction or development shall be removed and not replaced within six (6) months following such removal.

Section 3. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

Z:\PLS\Village of Hinsdale\Ordinances\2010\10-xx Sec. 11-503 05-26-10.doc