

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
JANUARY 12, 2011
MEMORIAL HALL
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:34 p.m., Wednesday, January 12, 2011 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman Byrnes, Commissioner Stifflear, Commissioner Moore
Commissioner Brody, Commissioner Kluchenek and Commissioner
Sullins

ABSENT: Commissioner Crnovich, Commissioner Johnson and Commissioner
Nelson

ALSO PRESENT: Sean Gascoigne, Village Planner, Gina Hassett, Director of Parks and
Recreation and Timothy Scott, Director of Economic Development

Approval of Minutes

The Plan Commission reviewed the minutes from the December 8, 2010 meeting. Commissioner Brody motioned to approve the minutes of December 8, 2010. Commissioner Moore seconded. The motion passed unanimously.

Findings and Recommendations

A-28-2010 – 722-728 N. York Road – Map Amendment from O-2, Limited Office District to B-1, Community Business 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 Sullins motioned to approve the findings and recommendations for 722-728 N. York Road, for a Map Amendment from O-2, Limited Office District to B-1, Community Business District. Commissioner Brody seconded. The motion passed unanimously.

Scheduling of Public Hearings

A-33-2010 – Doug Fuller – Text Amendment to Section 6-106, to allow Real Estate Offices with a Maximum of 10 Agents, in the O-1 District as Special Uses.

Chairman Byrnes stated the public hearing would be scheduled for February 9, 2011.

Plan Commission Minutes

January 12, 2011

A-34-2010 – 22 N. Lincoln – Special Use Permit to allow a Real Estate Office, with a Maximum of 10 Agents.

Chairman Byrnes stated the public hearing would be scheduled for February 9, 2011.

A-38-2010 – Village of Hinsdale – Text Amendment to Section 9-104 as it Relates to Driveway Width.

Chairman Byrnes stated the public hearing would be scheduled for February 9, 2011.

Sign Permit Review

24 W. Chicago Avenue – The Village Cellar – Two Wall Signs

Ray Zuniga, owner and applicant, provided a brief description of the proposal. Commissioner Kluchenek motioned for the approval of signage for 24 W. Chicago Avenue – The Village Cellar – Two Wall Signs. Commissioner Moore seconded. The motion passed unanimously.

Exterior Appearance/Site Plan Review

8 E. First Street – IL Poggiolo – Seasonal Vestibule

Chairman Byrnes introduced the case and asked if the applicant was present. Peter Burdi, applicant and owner of the property, introduced himself and summarized the request, which included the installation of a red seasonal vestibule during the colder months, at the subject property.

Mr. Burdi confirmed that, if approved, he did not have to come back every year for approval.

Mr. Gascoigne confirmed that as long as the vestibule was the same size, color and location every year, this was a one-time approval and he did not need to reappear for approval.

Discussion ensued regarding the opportunity for other businesses in the downtown to request seasonal vestibules.

Mr. Gascoigne clarified that any business could request approval from the Plan Commission for one, however the limited sidewalk space in front of most restaurants downtown would not lend itself to a vestibule since they need to be ADA accessible.

Commissioner Stifflear expressed his concern with the potential for anyone to request a vestibule and the impact it would have on the downtown.

Discussion ensued comparing the Zak's Place vestibule to this request, as well as the likelihood of other vestibules appearing in the downtown.

Plan Commission Minutes

January 12, 2011

Commissioner Kluchenek indicated that the requirement and process has been in place for many years and this is only the second vestibule in the downtown.

Commissioner Kluchenek motioned to disapprove the Site Plan for a Temporary Seasonal Vestibule at 8 E. First – IL Poggiolo. Commissioner Sullins seconded. The motion failed unanimously and the site plan was approved.

Commissioner Kluchenek motioned for the approval of Exterior Appearance for a Temporary Seasonal Vestibule at 8 E. First – IL Poggiolo. Commissioner Sullins seconded. The motion passed unanimously.

Public Hearings

Chairman Byrnes recognized the members of the audience and because they were here for the paddle courts at the end of the agenda, and no one was present for the next item, he adjusted the agenda to accommodate the audience members.

A-37-2010 – 5891-5911 County Line Road (KLM Park) – Special Use and Site Plan/Exterior Appearance Review for Paddle Courts and Associated Structures. Chairman Byrnes opened the public hearing, introduced the case and asked Gina Hassett, Director of Parks and Recreation, to summarize the request.

Director Hassett summarized the request and touched on a couple of key questions raised during the process including the site selection for the additional courts. She indicated that KLM was chosen, as opposed to another park due mainly to the fact that KLM already has both paddle tennis courts and a warming hut, so it seemed like the most logical place to locate it. Any other location would require the construction of another warming hut.

Chairman Byrnes confirmed that even though Parks and Rec was the applicant, the project was revenue neutral to the Hinsdale taxpayers.

Director Hassett confirmed and summarized how the project would be funded.

Chairman Byrnes asked Ms. Hassett to touch very generally on the storm water improvements being proposed.

Ms. Hassett acknowledged the storm water concerns that had been identified and then generally summarized the Village's course of action to help alleviate those concerns.

Commissioner Sullins clarified points regarding landscaping.

General discussion ensued regarding the location of certain landscaping and the detention area.

Commissioner Kluchenek asked Ms. Hassett to identify and summarize any community feedback they had gotten.

Plan Commission Minutes

January 12, 2011

Director Hassett identified letters of support from the members of the HPTA. She also acknowledged the concerns of the surrounding Burr Ridge residents but indicated they were working with the neighbors and the Village of Burr Ridge to reach an agreement everyone would be happy with. She then stated they were in receipt of a letter from the Mayor of Burr Ridge that supported the request which she would read into the record of the public hearing.

Commissioner Stifflear questioned what the long term plans for paddle tennis were and what happens when they need more courts in the future.

Director Hassett indicated that she didn't see how any additional courts could physically be added at KLM without interfering with the other sports field, but identified that as one of the items being discussed as part of the agreement with Burr Ridge.

Commissioner Moore questioned why Burns field wasn't given more consideration beyond the warming hut issue.

Ms. Hassett indicated that the primary reason was the warming hut cost but asked the President of the HPTA to respond.

Bill O'Brien introduced himself and provided a history as to how and why the original paddle courts were located at KLM and then why the decision was made to place to newly proposed courts there as well.

Commissioner Kluchenek asked Mr. O'Brien to discuss how the life-time memberships would impact recreational play.

Mr. O'Brien identified how the life-time memberships worked and how that would impact a resident that just wanted to play on a daily basis but not hold a pass.

Commissioner Kluchenek appreciated Mr. O'Brien's explanation, but expressed concerns with the lack of availability of courts for residents that didn't hold a pass.

Ms. Hassett responded to Commissioner Kluchenek's concerns and indicated that the hope was that by building these two additional courts at KLM, the Burns Field courts would always be available for open play.

Mr. O'Brien identified additional times, outside of league play, in which open play is available at KLM.

Dave Allen, a Burr Ridge resident, trustee and neighbor of the KLM paddle courts, introduced himself. He identified his involvement with the paddle court discussions and offered his thoughts on the proposed project. He acknowledged the letter from the Mayor of Burr Ridge and also identified the efforts between the Village of Burr Ridge and the Village of Hinsdale to reach an agreement. He generally identified the timing of lights, storm water management and the possibility of future courts being the primary concerns.

Plan Commission Minutes

January 12, 2011

Mr. Allen also expressed concerns with alcohol consumption at the paddle courts as well as the possibility of re-grading the existing lacrosse field and the impact this would have on drainage and flooding in the neighborhood. He then summarized his final thoughts and identified his appreciation for the cooperation from the Village of Hinsdale throughout the process.

Commissioner Kluchenek confirmed with Mr. Allen that he was in support of the application.

Mr. Allen indicated he was.

Ms. Hassett read the letter from Burr Ridge into the record and summarized the items agreed to between the Villages.

Chairman Byrnes closed the public hearing and then complimented both Villages on their willingness to work together to reach an agreement.

Commissioner Brody concurred with Chairman Byrnes.

General discussion ensued regarding the timing on lights and the numbers of lights on each court.

Ms. Hassett explained that each court has an individual timer as well as a single timer locked up in a different location that controlled all of the courts, which would keep someone from turning on individual courts during non-operational hours.

Discussions ensued regarding the drainage along the east property line. Ms. Hassett indicated that there were no plans to do anything, but even if they did, they would need several permits, including one from the Metropolitan Water Reclamation District.

Commissioner Moore offered her thoughts regarding the timing of lights and confirmed that drinking was legal at the paddle courts.

Ms. Hassett confirmed it was legal inside the paddle hut and addressed Commissioner Moore's lighting comments.

Commissioner Kluchenek expressed his support for the application given the lack of dissent and the compliancy with the code.

Some Commissioners expressed concerns as to how the Village can guarantee that the improvements, such as landscaping, are made.

Ms. Hassett indicated that this would be like any other permit in the Village which could not receive its final approvals until it was completed per plans. Beyond that, she also indicated that the construction would not start until the funds were available.

Plan Commission Minutes

January 12, 2011

Commissioner Kluchenek expressed his appreciation for the other Commissioner's concerns, but indicated that he believed the funding was not the responsibility of the Plan Commission and should not be made part of the motion for approval.

Commissioner Kluchenek motioned for the approval of a Special Use Permit for the installation of Paddle Courts and Associated Structures at 5891-5911 S. County Line Road (KLM Park) subject to the conditions agreed to between the Village of Burr Ridge and Hinsdale, which include:

- Placement of the courts per site plan.
- No additional courts for 5 years from the completion of construction of these courts.
- The hours of operation will be as agreed upon
- The drainage will be per the site plan
- The installation of landscaping will be per the site plan

Commissioner Moore seconded. The motion passed unanimously.

Commissioner Brody motioned to disapprove the Site Plan for the installation of Paddle Courts and Associated Structures at 5891-5911 S. County Line Road (KLM Park). Commissioner Moore seconded. The motion failed unanimously and the site plan was approved.

Commissioner Stifflear motioned for the approval of Exterior Appearance for the installation of Paddle Courts and Associated Structures at 5891-5911 S. County Line Road (KLM Park). Commissioner Moore seconded. The motion passed unanimously.

A-36-2010 – Village of Hinsdale – Text Amendment to Section 9-106, as it relates to projecting signs and staff review of code compliant signs.

Chairman Byrnes indicated that this case was continued from last month, summarized the request and touched on some of the concerns raised at last month's meeting.

Mr. Scott identified the areas of the ordinance that were changed, as well as answers to procedural questions that were raised and requested by the Plan Commission at last month's meeting. Mr. Scott indicated that through discussions, the Village Attorney had confirmed that the distribution of sign materials to all Commissioners with the intent for feedback, in any capacity, was not recommended and would likely be a violation of the Open Meetings Act.

He then went on to summarize discussions he had with Robb McGinnis, Director of Community Development and Code Enforcement, regarding increased enforcement of signage.

Commissioner Kluchenek asked for clarification on final authority as it was currently written in the ordinance.

Mr. Scott indicated that he didn't feel there would be any open debates between the Village Manager and the Plan Commission Chair regarding the approval of signage. He expressed his confidence that the Village Manager would be willing to sign off on any application that

Plan Commission Minutes

January 12, 2011

met code through staff's review and met the design intent of the Commission through its Chair.

Discussion ensued and Chairman Byrnes summarized the process as currently written.

Commissioner Kluchenek expressed some concern with the language and how it could potentially affect procedure.

Commissioner Stifflear concurred and offered alternative language.

Discussion ensued regarding suggested changes to the language and the Commission agreed that approval or sign off by both the Village Manager and the Plan Commission Chair should be required to approve it administratively.

Chairman Byrnes initiated discussion on the process and suggested having the Village Manager sign off first.

John Karstrand approached the podium and offered his thoughts on how the currently suggested process came to fruition.

Commissioner Kluchenek expressed his appreciation towards how the process was arrived at, but felt acceptance by the Village Manager and staff should come prior to the sign-off from the Commission Chair.

Commissioner Stifflear questioned if Commissioner Kluchenek could offer any suggested language changes for the areas in question.

Commissioner Kluchenek indicated he wasn't comfortable doing that on the spot, but generally the language needed to be written in the affirmative position.

Chairman Byrnes summarized the Commission's suggestions and requested that the language be amended as such.

General discussion ensued regarding the suggested changes and the Commission offered final thoughts and explanations.

Commissioner Kluchenek recommended that monument signs be removed from the administrative approval process due to the nature of these signs.

Discussion ensued on how to effectively accomplish this.

Mr. Gascoigne indicated that the language could be amended to indicate new monument signs and existing monument signs that require structural alteration, would not be afforded the same rights under the administrative approval process.

Staff clarified the Commission's position and whether it was their intent to send this on with the suggested changes or bring it back to the next Plan Commission meeting.

Plan Commission Minutes
January 12, 2011

The Commission indicated they would be comfortable moving the text amendment on provided the suggested changes were made and the Chair confirmed the accuracy of those changes before it went to the Zoning and Public Safety Committee.

Commissioner Kluchenek made a motion to approve case A-36-2010 subject to the recommended language changes which includes amending the language in which the Village Manager and the Chairperson approve a request, a 15 day deadline from the date of submittal to take action on an application and the exclusion of new monument signs and existing monument signs requiring structural alterations from the administrative approval process. Commissioner Brody seconded and the motion passed unanimously.

Adjournment

Commissioner Sullins moved to adjourn. Commissioner Moore seconded and the meeting adjourned at 9:15 p.m. on January 12, 2011.

Respectfully Submitted,

Sean Gascoigne
Village Planner

HINSDALE PLAN COMMISSION

RE: 8 East First Street – Peter Burdi - Exterior Appearance and Site Plan Review

DATE OF PLAN COMMISSION REVIEW: January 12, 2011

DATE OF ZONING AND PUBLIC SAFETY REVIEW: January 24, 2011

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. Peter Burdi, (the “Applicant”) submitted an application to the Village of Hinsdale for the property located at 8 East First Street (the “Subject Property”).
2. The Subject Property is zoned in the B-2 Central Business District and improved with a two-story commercial building.
3. The applicant is seeking approval for a seasonal vestibule outside of the existing restaurant on First Street.
4. The requirement for exterior appearance would be a one-time obligation provided the vestibule maintained the same color, size and configuration of the existing vestibule.
5. 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.
6. 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 6 “Ayes,” 0 “Nays,” 3 “Absent” recommends that the President and Board of Trustees of the Village of Hinsdale approve the exterior appearance/site plan at 8 East First Street for a seasonal vestibule.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2011.

HINSDALE PLAN COMMISSION

RE: Case A-36-2010 - Applicant: Village of Hinsdale – Request: Text Amendment to Section 9-106, as it relates to projecting signs and staff review of code compliant signs

DATE OF PLAN COMMISSION REVIEW: December 8, 2010 & January 12, 2011

DATE OF ZONING AND PUBLIC SAFETY REVIEW: January 24, 2011

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, The Village of Hinsdale, submitted an application to amend Section 9-106, as it relates to projecting signs and staff review of code compliant signs
2. The Plan Commission heard a summary of the text amendment from staff at the Plan Commission meeting of December 8, 2010.
3. The Plan Commission generally supported the nature of the proposal, but expressed serious concerns with the number of businesses putting up illegal signs without their approval.
4. Staff acknowledged the Commission's concerns and while not directly related to the provisions of the proposed text amendment, identified their willingness to investigate with code enforcement/community development a way to address the situation.
5. The Commission also requested to see more specific language regarding the timeframe in which the Village Manager and Plan Commission Chair were required to take action on a sign request, as well as a position from the Village Attorney on the appropriateness of distributing all requests to all Commissioners for their review and comments.
6. At the Plan Commission meeting of January 12, 2011, staff provided the Commission with amended language and a position from the Village Attorney that identified a conflict with a Commission-wide review of administrative signage and the Open Meetings Act.
7. The Commission offered some final amendments to the language, but was comfortable sending the request on subject to these changes being made.
8. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-601 of the Zoning Code applicable to approval of the amendments.

II. RECOMMENDATIONS

The Village of Hinsdale Plan Commission, by a vote of six (6) "Ayes", zero (0) "Nays" and three (3) "Absent" recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended

subject to the recommended language changes which includes amending the language in which the Village Manager and the Chairperson approve a request, a 15 day deadline from the date of submittal to take action on an application and the exclusion of new monument signs and existing monument signs requiring structural alterations from the administrative approval process.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2011.

HINSDALE PLAN COMMISSION

RE: Case A-37-2010 - Applicant: Village of Hinsdale – Parks and Recreation Department - Location: 5891-5911 S. County Line Road: Special Use Permit and Site Plan/Exterior Appearance Approval for Paddle Courts and Associated Structures.

DATE OF PLAN COMMISSION REVIEW: January 12, 2011

DATE OF ZONING AND PUBLIC SAFETY REVIEW: January 24, 2011

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Village of Hinsdale's Parks and Recreation Department, submitted an application to the Village of Hinsdale for a special use permit and exterior appearance/site plan review approval, to allow for a total of six paddle courts and associated structures for the property located at 5891-5911 S. County Line Road – KLM Park (the "Application").
2. The property is located within the OS, Open Space District and improved with a community park containing sports/recreation fields and courts, as well as various structures.
3. The applicant is proposing to locate, two new courts in addition to the four existing courts which also includes the associated paddle hut.
4. The Plan Commission heard comments from a Burr Ridge neighbor and Village Board Member, regarding the proposed site improvements and Special Use.
5. After offering thoughts, the Burr Ridge resident indicated his support for the proposal.
6. The Plan Commission specifically finds that the Application satisfies the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit, Subsection 11-604F pertaining to Standards for site plan disapproval and Section 11-606 of the Zoning Code governing exterior appearance review.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of 6 "Ayes," 0 "Nay," and 3 "Absent" recommends that the President and Board of Trustees approve the Application for a special use permit to allow for a total of six paddle courts and associated structures for the property located at 5891-5911 S. County Line Road – KLM Park, subject to the conditions as agreed to between the Village of Burr Ridge and the Village of Hinsdale which should generally include:

1. Placement of the courts per site plan
2. No additional courts for five years from the final construction of proposed courts
3. Hours of operation
4. Drainage per site plan
5. Landscaping installation per site plan

The Village of Hinsdale Plan Commission, by a vote of 6 "Ayes," 0 "Nay," and 3 "Absent" recommends that the President and Board of Trustees approve the Application for exterior appearance/site plan review approval for a total of six paddle courts and associated structures at KLM Park for the property located at 5891-5911 S. County Line Road.


THE HINSDALE PLAN COMMISSION

By:

Chairman

Dated this _____ day of _____, 2011.

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
Dave Cook, Village Manager
Gina Hassett, Director of Parks and Recreation
Date: February 9, 2011
Re: 5891-5911 S. County Line Road – Village of Hinsdale – Parks and Recreation Department; Site Plan/Exterior Appearance Approval for the replacement and repair of certain park shelters.

REQUEST

The petitioner, Village of Hinsdale's Parks and Recreation Department, is requesting exterior appearance and site plan review to allow for the replacement and repair of certain shelters at KLM Park. The subject property is zoned OS, Open Space District and is located south of 55th Street on County Line Road.

The proposal will generally include a new south shelter with ADA compliant furnishings and a new drinking fountain. In addition to the replacement of the south shelter, they are also proposing improvements to the north shelter which would include new furnishings, a drinking fountain and a stone veneer base around the lower half of the shelter posts. As depicted in the attached illustrations, the south shelter would be in the same general location but would be a slightly different configuration and would have a footprint approximately 771 square feet larger than the existing shelter. The Parks and Recreation Department have also indicated that the existing fireplace will remain and the new shelter would be constructed as to incorporate it. While the footprint of the south shelter would change, both shelters are in the same general location within KLM and are not moving locations.

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: Village of Hinsdale

Owner's name (if different): _____

Property address: 5901 S. County Line Road, Hinsdale, IL 60521

Property legal description: [attach to this form]

Present zoning classification: OS

Square footage of property: 52 Acres

Lot area per dwelling: NA

Lot dimensions: 1750'x1290'

Current use of property: Park containing various structures and uses

Proposed use: ☐ Single-family detached dwelling
☒ Other: park (same as existing)

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

Brief description of request and proposal:

The Village of Hinsdale is seeking Site Plan Review and Exterior Appearance Review
approval for a new shelter to replace an existing shelter, as well as new site
furnishings and electrical.

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front:
interior side(s)

267'
NA / NA

100'
50' / 50'

Provided:

Required by Code:

corner side
rear

NA

1530'

NA

50'

Setbacks (businesses and offices):

front:

NA

NA

interior side(s)

NA / NA

NA / NA

corner side

NA

NA

rear

NA

NA

others:

NA

NA

Ogden Ave. Center:

NA

NA

York Rd. Center:

NA

NA

Forest Preserve:

NA

NA

Building heights:

principal building(s):

NA

NA

accessory building(s):

13'2"

60'

Maximum Elevations:

principal building(s):

NA

NA

accessory building(s):

13'2"

NA

Dwelling unit size(s):

2,185

NA

Total building coverage:

2,185

NA

Total lot coverage:

3,875

NA

Floor area ratio:

.08

.20

Accessory building(s):

Park Shelter

Spacing between buildings:[depict on attached plans]

principal building(s):

NA

accessory building(s):

Number of off-street parking spaces required: ⁵

Number of loading spaces required: NA

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:

Gina Hassett
Applicant's signature

Gina Hassett

Applicant's printed name

Dated:

Jan 24, 20¹¹

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 A-02-2011 for 5891-5911 County Line Road – Village of Hinsdale/KLM Park regarding Exterior Appearance/Site Plan Review for the replacement and repairs of certain park shelters in 2011, 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:

Village of Hinsdale, Parks and Recreation Department

Address or description of subject property:

5891-5911 County Line Road, KLM Park

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

Replacement and repairs of certain park shelters

Plans reviewed, if any: *See attached plans, if any.* - See Plan Commission File for 5891-5911 County Line Road, Village of Hinsdale/KLM Park, regarding Exterior Appearance/Site Plan Review in 2011.

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:

11/24, 20 11



**VILLAGE
OF HINSDALE**

**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
Address: 19 E. Chicago Avenue
City/Zip: Hinsdale/60521
Phone/Fax: (630) 789-7097 / 789-7016
E-Mail: ghassett@villageofhinsdale.org

Owner

Name: Village of Hinsdale
Address: 19 E. Chicago Avenue
City/Zip: Hinsdale/60521
Phone/Fax: (630) 789-7097 / 789-7016
E-Mail: ghassett@villageofhinsdale.org

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

Name: Design Perspectives, Inc.
Title: Landscape Architecture Firm
Address: 1754 N. Washington Street, Suite 120
City/Zip: Naperville/60563
Phone/Fax: (630) 577-9445 / 577-9447
E-Mail: tstanton@design-perspectives.net

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) Gina Hassett, Director of Parks & Recreation
- 2) Dan Deeter, Village Engineer
- 3) Seán Gascoigne, Village Planner

4) Robb McGinnis, Director of Community Development/Building Commissioner

II. SITE INFORMATION

Address of subject property: 5901 S. County Line Road, Hinsdale, IL 60521

Property identification number (P.I.N. or tax number): 18 - 18 - 300 - 001 & 18-18-108-001

Brief description of proposed project: The project includes a new southern shelter with site furnishings (the existing fire place will remain). The northern shelter will receive new site furnishings, ADA access and small concrete plaza with a new drinking fountain. Both shelters will have new electrical.

General description or characteristics of the site: KLM Park is 52 acres of rolling topography. It has great tree canopy with a variety of existing buildings, athletic fields, paddle tennis and a playground. A creek runs through the northern portion of the site.

Existing zoning and land use: Green Space District (OS)

Surrounding zoning and existing land uses:

North: Single Family Residential (R-2)

South: Burr Ridge (King Bruwaert House)

East: Single Family (Burr Ridge)

West: Multiple Family Residential (R-5) / Single Family Residential (R-3)

Proposed zoning and land use: Green Space District (OS)

Existing square footage of property: 2,389,146.41 square feet

Existing square footage of all buildings on the property: 15,700 square feet

TABLE OF COMPLIANCE

Address of proposed request: 5901 S. County Line Road, Hinsdale, IL 60521

The following table is based on the OS Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	40,000	52 Acres
Minimum Lot Depth	250'	1860'
Minimum Lot Width	150'	1290'
Building Height	30'-0"	13'2"
Number of Stories	N/A	1
Front Yard Setback	100'	267'
Corner Side Yard Setback	N/A	NA
Interior Side Yard Setback	50'/50'	NA
Rear Yard Setback	50'	1530'
Maximum Floor Area Ratio (F.A.R.)*	.20	.08
Maximum Total Building Coverage*	NA	2,185
Maximum Total Lot Coverage*	NA	3,875
Parking Requirements	5	5
Parking front yard setback	No setback required per 7-210E(2)	NA
Parking corner side yard setback	No setback required per 7-210E(2)	NA
Parking interior side yard setback	No setback required per 7-210E(2)	NA
Parking rear yard setback	No setback required per 7-210E(2)	NA
Loading Requirements	N/A	NA
Accessory Structure Information	60' per 7-210E(1)	13'2" (shelter)

* 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 4 day of February, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.

Gina Hassett
Signature of applicant or authorized agent

Gina Hassett

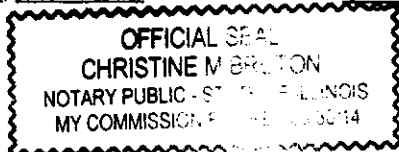
Name of applicant or authorized agent

Signature of applicant or authorized agent

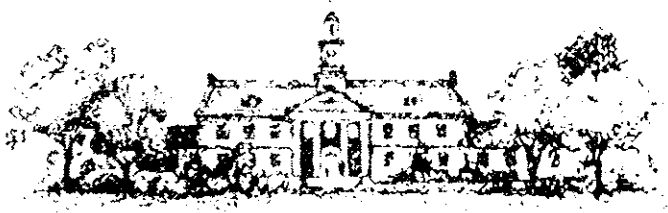
Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 4th day of

February
2011



Christine M. Bruton
Notary Public



VILLAGE OF HINSDALE

COMMUNITY DEVELOPMENT DEPARTMENT EXTERIOR APPEARANCE AND SITE PLAN REVIEW CRITERIA

Address of proposed request: 5901 S. County Line Road, Hinsdale, IL 60521

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. The open space between these spaces is turf covered with stands of mature trees.
2. Materials. The quality of materials and their relationship to those in existing adjacent structures. The new southern shelter will be wood construction with tongue and groove ceiling on the underside of the roof. The exterior of the roof will be architectural asphalt shingles. The new shelter will be replacing an existing wood shelter, which will compliment the existing wood/timber buildings on site. The shelter will also have limestone veneer on the columns in an ashlar pattern.
3. General design. The quality of the design in general and its relationship to the overall character of neighborhood. The new shelter will have open green space between it and the neighborhood. 250 feet is the minimum amount of space between the shelter and the closest neighborhood street.
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. The new shelter is slightly larger than the existing shelter, and will have minimal impacts on the site. The shelter will be in the same location as the old shelter. Pedestrian access will be improved and ADA access will be provided. No adverse impacts. The northern shelter will remain in existing location. ADA access will be provided.
5. Height. The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. The height of the new shelter at the highest point is 13'2", which is lower than most existing buildings on site. No changes to the height of the northern shelter.

cont'd from question 2:

- 1 -

The northern shelter will remain and will have two alternates that could impact the look of the shelter - a limestone veneer in an ashlar pattern on (3) of the columns and concrete retaining wall.

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. The shelter is an open air shelter, so it does not have a front facade. The relationship of the front of the shelter in terms of width to height is compatible with the other buildings on site. No changes to the front facade of the northern shelter.
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.
NA
-
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. The new shelter in terms of solids to voids is similar to the existing shelter and would be visually compatible with other elements on site. No changes to the northern shelter in terms of solids to voids.
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 shelter is located in the same location as the existing shelter (south, central portion of KLM Park). The northern shelter will remain the current location.
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. The new shelter does not have a porch or any other projections. The northern shelter also does not have a porch or any other projections.
-
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. The shelter is made of wood and will have stone veneer on each shelter column. The veneer will be a seamless WI Iannon limestone in an ashlar pattern (see sample). Tongue and groove planking under asphalt shingle roof. Alternates for the northern shelter include the limestone veneer as well (on columns and retaining walls).
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. The roof will come to a peak, the highest point being 13'2". The northern shelter roof shape will remain the same.
-
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. The new shelter will have the same location in the park as the existing shelter, with at least 250 feet of buffer between the shelter and any public street, building, etc. The northern shelter will remain in the same location.
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 new shelter, with the tallest peak at 13'2", and has no windows, openings, porches, balconies, fits nicely on the site in relation to the existing buildings. The northern shelter will remain the same and fits well into its surroundings.
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 new shelter is visually compatible with the other structures on site. The new structure is similar to the existing shelter, with a new stone veneer added to compliment stone work on existing buildings. The northern shelter is also compatible with other structures on site and will receive new stone veneer on (3) columns and concrete wall if the alternates are chosen.

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.

NA

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. All standards have been met for the zoning district (OS).
2. The proposed site plan interferes with easements and rights-of-way. The site plan does not interfere with any easements or ROW.
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. The site plan does not interfere with any site elements. The new shelter will replace the existing shelter, except that it will be larger to accommodate larger groups. The northern shelter will remain in the same location.
4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. The site plan enhances the enjoyment of both shelters for its users.
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. The site plan does not impact traffic congestion. It does however, provide improved pedestrian access to both the north and south shelters.
6. The screening of the site does not provide adequate shielding from or for nearby uses. The new south shelter will be located in the same area as the current shelter, which is over 250 feet from any nearby users. The northern shelter will remain in the same location.
7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. The proposed shelter fits in nicely with

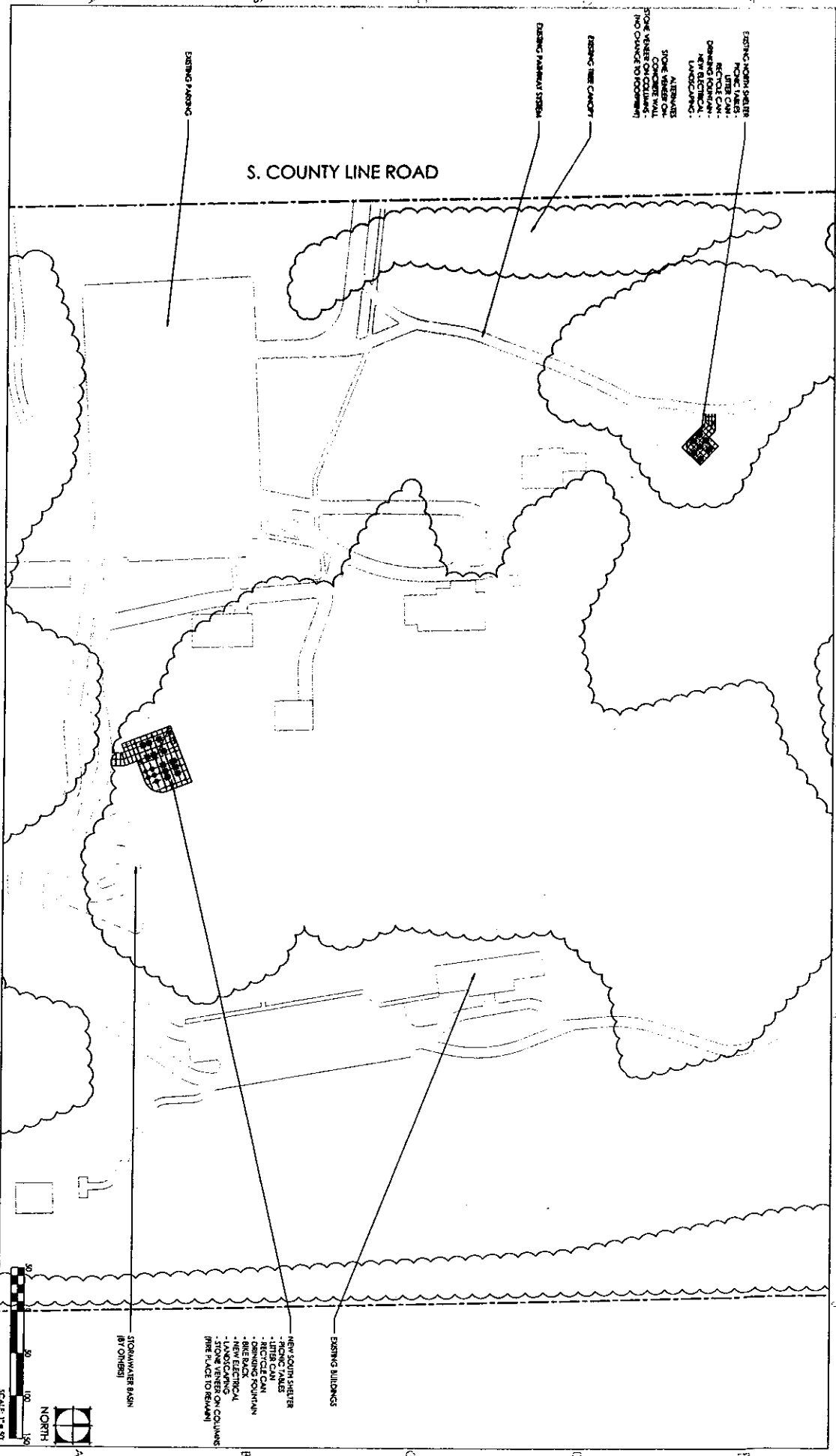
existing, nearby structures. The northern shelter will remain in the same location and it already fits well on the site.

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. We are not submitting for a special use permit.
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. The site plan will allow drainage to run off the concrete shelter pad to an existing stormwater detention area. A new culvert will be added under a new sidewalk connection for storm water flow. A new walk at the northern shelter will be graded to meet ADA access.
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. The site plan shows two drinking fountains (one replaces an old drinking fountain at the north shelter and one is new at the south shelter). New electrical lighting is allocated for both shelters. (cont'd below)
11. The proposed site plan does not provide for required public uses designated on the Official Map. The site plan meets all requirements designated on the official map.
12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. The site plan does not adversely affect public health, safety or general welfare.

cont'd from question 10:

If electrical system needs to be upgraded to provide adequate power to the shelters, it will be included in the scope of construction work.

1754 North Washington Street
Suite 120
Naperville, Illinois 60563
Telephone: (630) 577-9445
Fax: (630) 577-9447
www.design-interactive.net

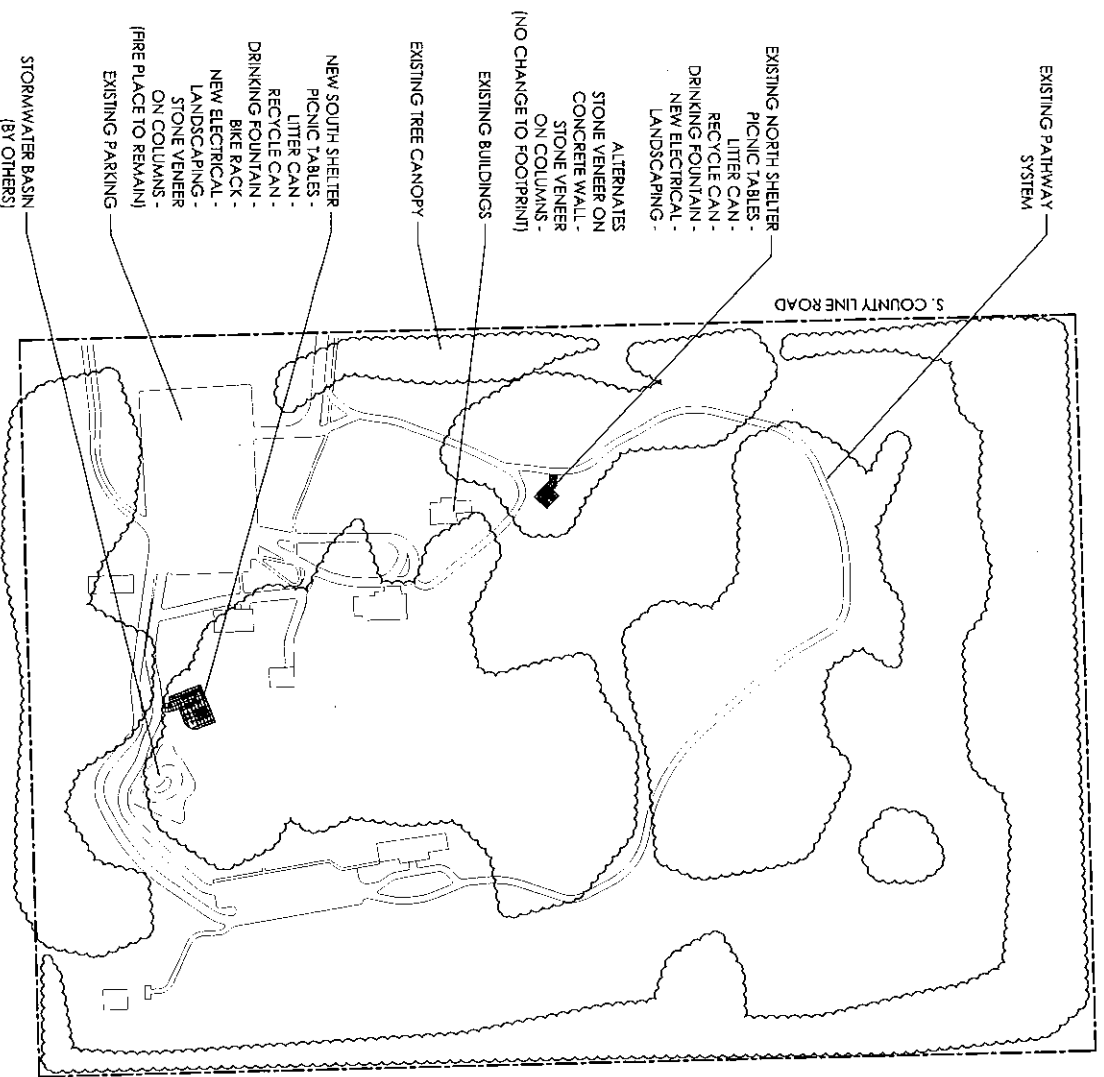
[illegible]

SEAL

DATE: 02/07/2011
JOB NO.: 11-XXX
DRAWN BY: SCH
CHECKED BY: TJS
DRAWING TITLE:
SITE PLAN

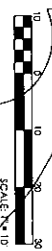
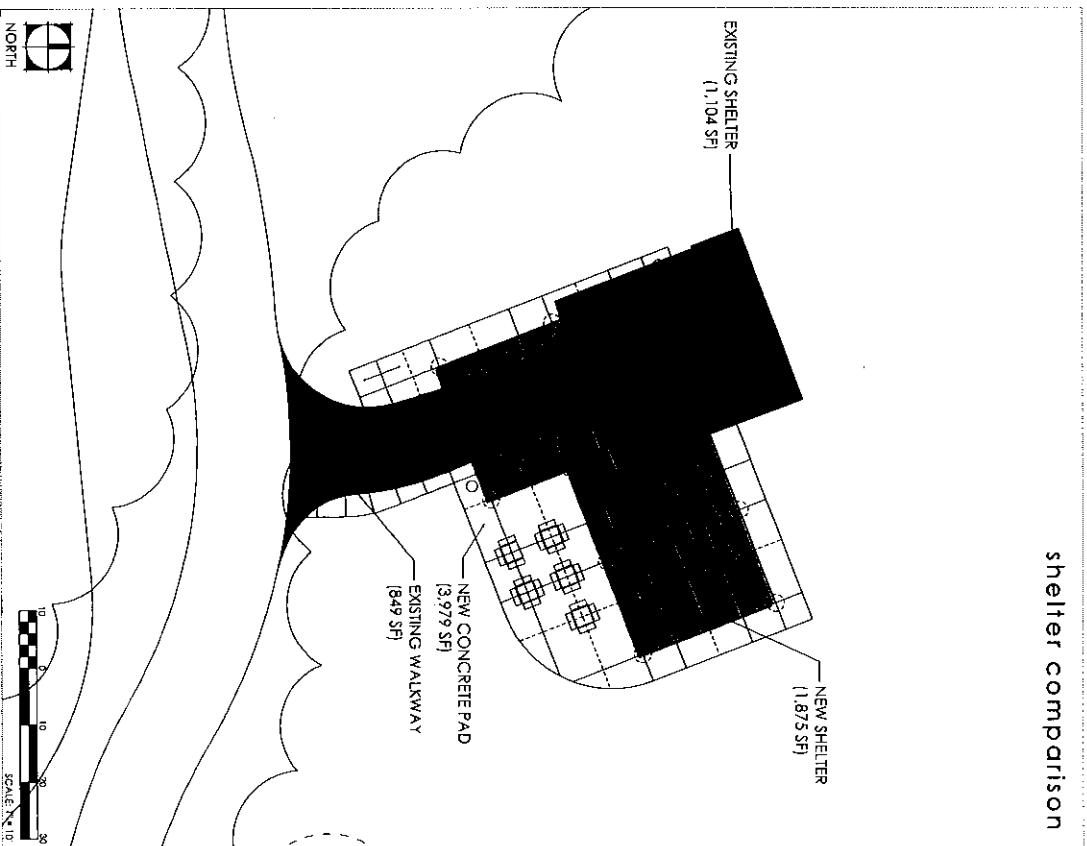
SHEET NO.:
LS-100

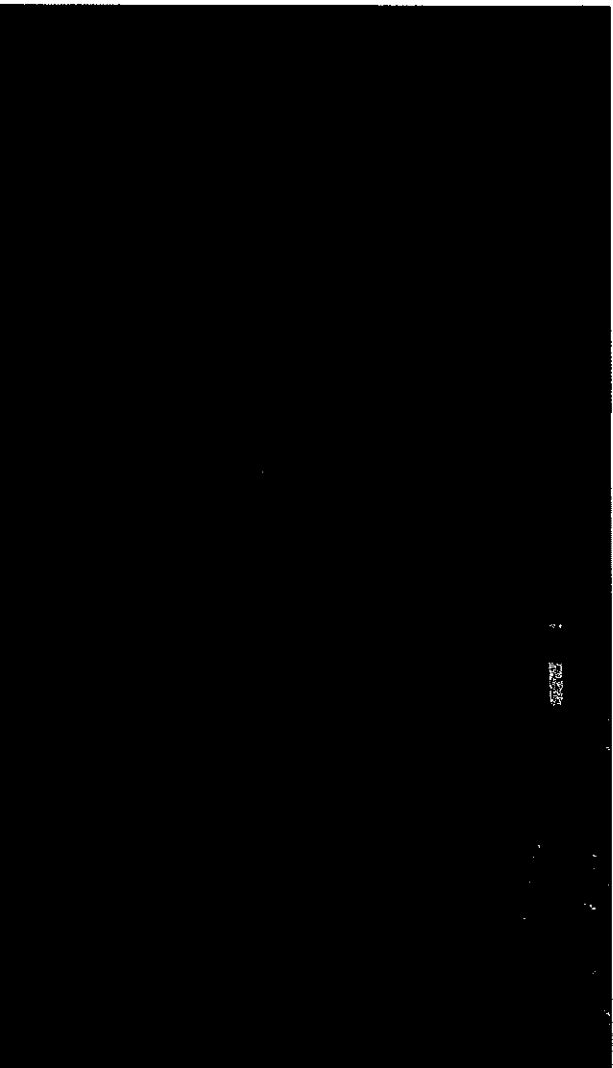
site plan



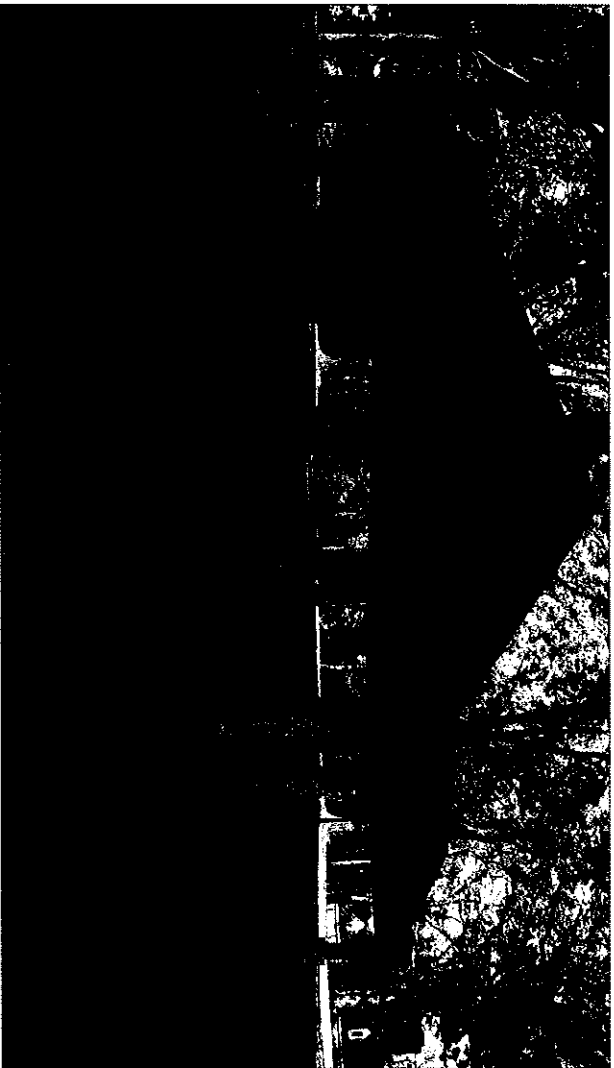
Village of Hinsdale Katherine Legge Memorial Park Site Plan

shelter comparison

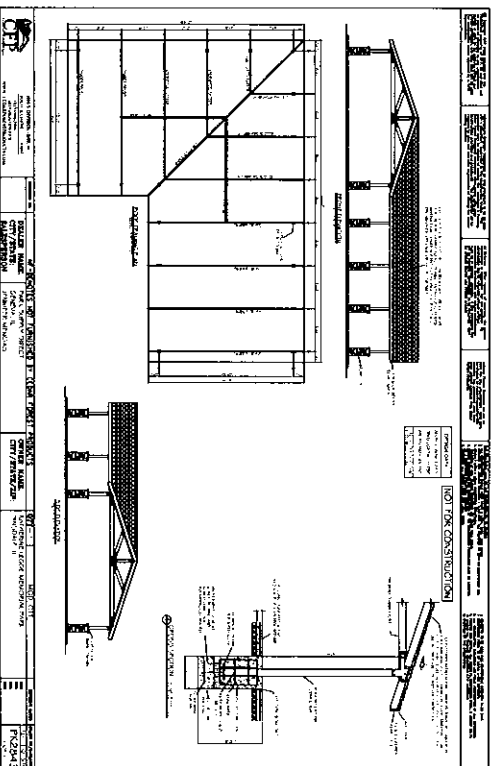




3D model images of southern shelter



Village of Hinsdale Katherine Legge Memorial Park Image Board



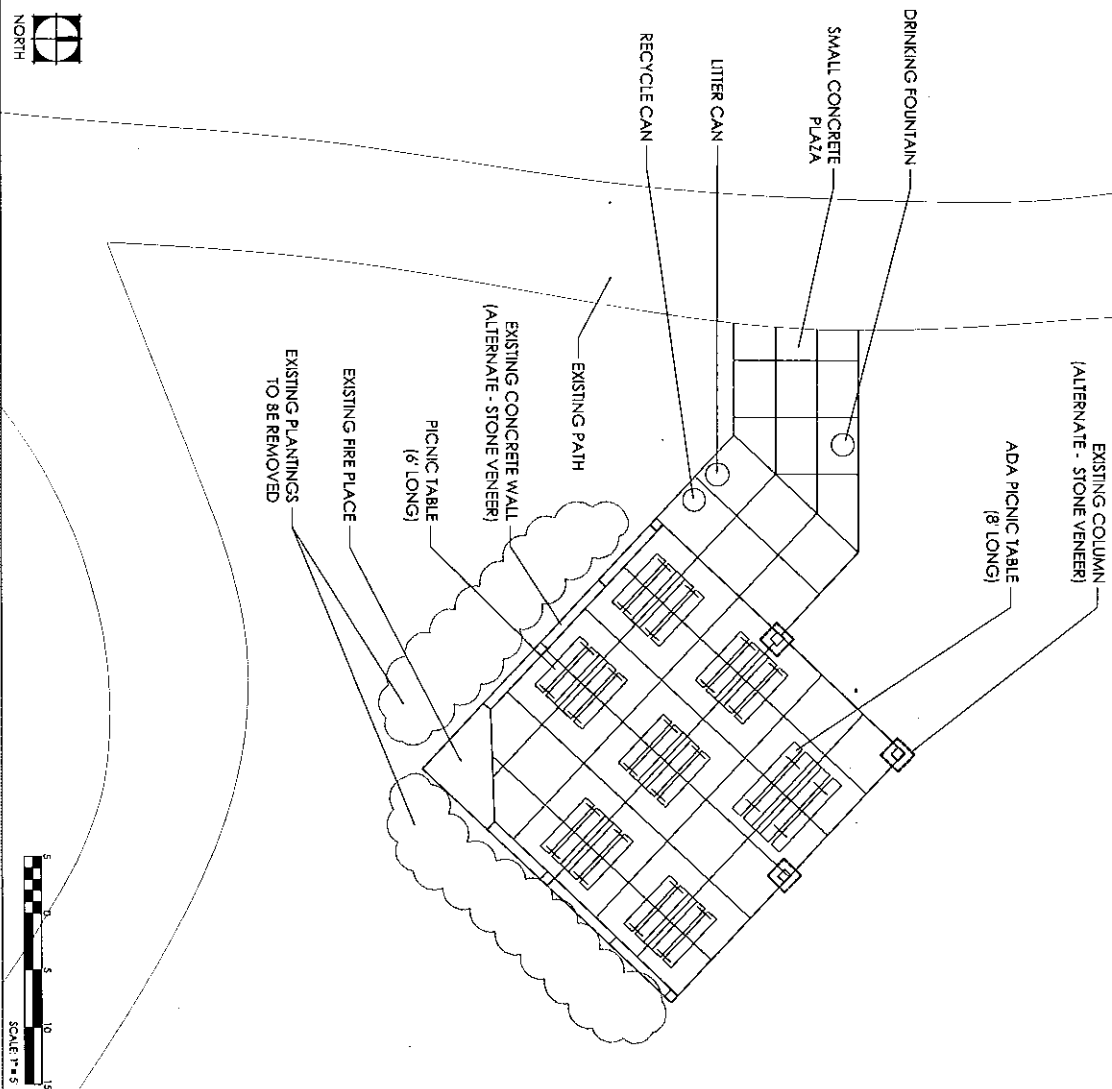
architectural plan for southern shelter



existing site photos



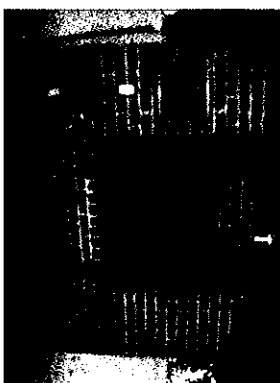
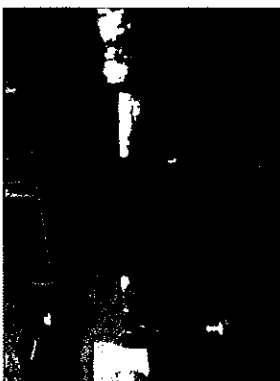
site plan



Village of Hinsdale Katherine Legge Memorial Park Image Board



existing site photos

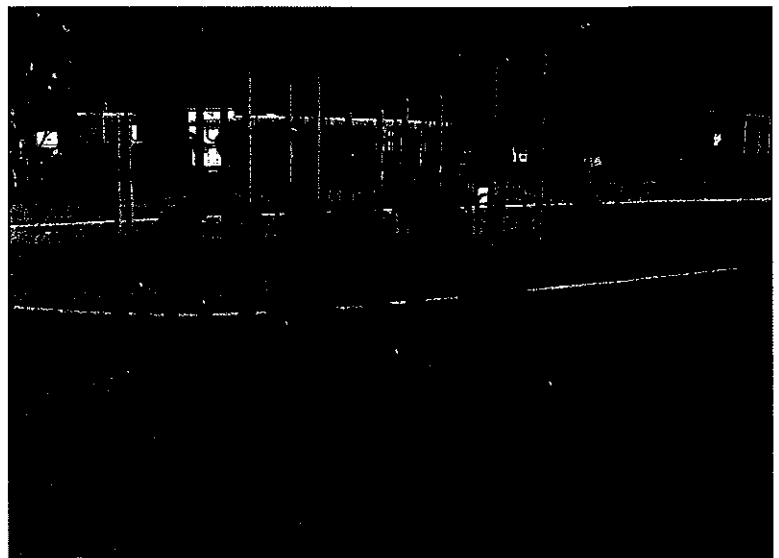
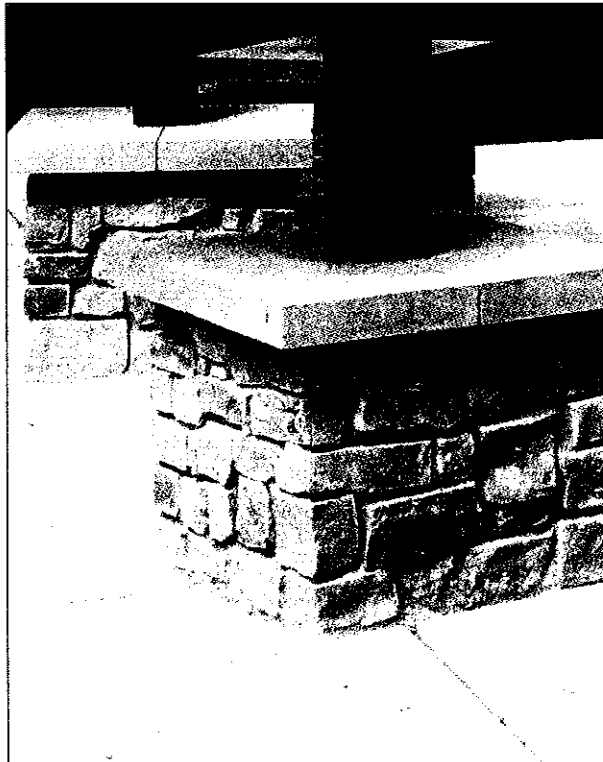
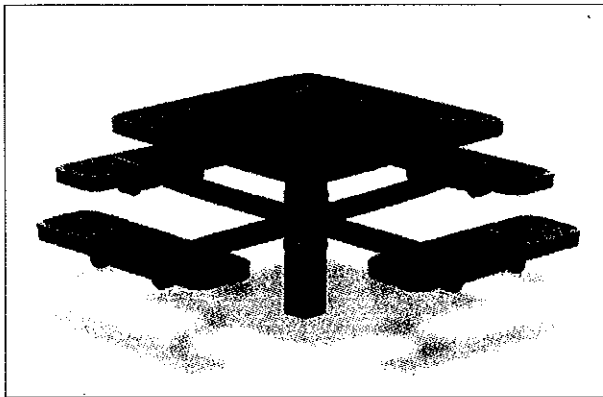
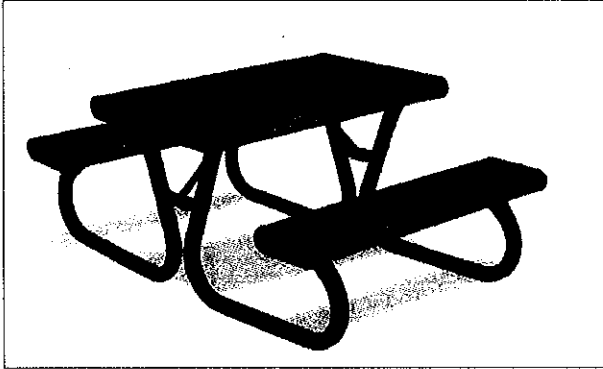


existing site photos






Village of Hinsdale
Katherine Legge Memorial Park
Site Furnishings



Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: February 9, 2011
Re: Public Hearing for Case A-33-2010 and A-34-2010
Applicant: Village of Hinsdale
Request: Text Amendment to Section 6-106, to allow Real Estate Offices with a Maximum of 10 Agents, in the O-1 District as Special Uses and a Special Use at 22 N. Lincoln to Allow a Real Estate Office with a Maximum of 10 Agents.

The Applicant, Doug Fuller, has submitted an application to amend Article VI (Office Districts), Section 6-106 (Special Uses), of the Village of Hinsdale Zoning Code, to allow Real Estate Offices, with a Maximum of 10 Agents, in the O-1 Specialty Office District as Special Uses. In addition to the text amendment, the applicant is also requesting the necessary special use to allow a real estate office, with a maximum of 10 agents, in the O-1 District.

The applicant is requesting the text amendment along with a special use permit, which if approved would allow them to maintain the current business at the subject property. The applicant has indicated that they feel a realtor is suitable in the O-1 District given that the profession of real estate has evolved dramatically and most realtors now work independently, rather than in a large office setting with several other agents, and rarely meet with clients in the office, but convene off site to discuss their business. The O-1 currently allows insurance agents, medical offices, legal services and accounting services as permitted uses. The applicant feels that the requested use for a realtor's office is now more in line with these professions due to the aforementioned reasons. The proposed process would allow the Plan Commission and Village Board to hear all cases independently and establish the appropriateness of the use based on the location and the individual circumstances of the property in question.

On September 21st, the Board of Trustees approved a temporary use to allow ERA Realty to occupy the space and operate their business there while the building owner went through the necessary processes of obtaining the text amendment and associated Special Use. At that time, the Board of Trustees had concerns with the potential size of the business, so as such, the Board advised the applicant to further limit the request to a maximum of 10 realtors. The building owner agreed to this condition and is now requesting to make this use legal and conforming.

Below is draft language proposed by the applicant that would amend the Zoning Code so that Real Estate Offices with a maximum of 10 agents would be Special Uses in the O-1, Specialty Office District:

Section 6-106 Special Uses

O-1

O-2

O-3

A. Finance, Insurance and Real Estate:

- 3. Real Estate Offices (65) with a Maximum of 10 Agents**

S

Attachment

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

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 Fuller
Owner's name (if different): D.A. Fuller Family Partnership
Property address: 22 N. CENLOEN
Property legal description: [attach to this form]
Present zoning classification: O-1
Square footage of property: 13,612.5
Lot area per dwelling: N/A
Lot dimensions: 82.5 x 165
Current use of property: Office (REAL ESTATE)
Proposed use: ☐ Single-family detached dwelling
☒ Other: SAME AS CURRENT
Approval sought: ☐ Building Permit ☐ Variation
☒ Special Use Permit ☐ Planned Development
☐ Site Plan ☐ Exterior Appearance
☐ Design Review
☐ Other: _____

Brief description of request and proposal:

SPECIAL USE TO ALLOW A REAL ESTATE OFFICE
WITH NO MORE THAN 10 AGENTS, IN O-1 SPECIALTY
OFFICE DISTRICT

Plans & Specifications: [submit with this form]

Provided: Required by Code:

Yards:

front:	<u>48.58</u>	<u>35</u>
interior side(s)	<u>N/A 1/16-16</u>	<u>10/10</u>

Provided:

Required by Code:

corner side	<u>29.53</u>	<u>35</u>
rear	<u>72.5</u>	<u>25</u>

Setbacks (businesses and offices):

front:	<u>48.58</u>	<u>35</u>
interior side(s)	<u>N/A 1/16/16</u>	<u>101/10</u>
corner side	<u>29.53</u>	<u>35</u>
rear	<u>72.5</u>	<u>25</u>
others:	<u>N/A</u>	<u>N/A</u>
Ogden Ave. Center:	<u>N/A</u>	<u>N/A</u>
York Rd. Center:	<u>N/A</u>	<u>N/A</u>
Forest Preserve:	<u>N/A</u>	<u>N/A</u>

Building heights:

principal building(s):	<u>N/A</u>	<u>Existing</u> 2 stories
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>.09</u>	<u>35%</u>
--------------------------	------------	------------

Total lot coverage:	<u>25%</u>	<u>80%</u>
---------------------	------------	------------

Floor area ratio:	<u>.18</u>	<u>.40</u>
-------------------	------------	------------

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

Spacing between buildings: [depict on attached plans]

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

Number of off-street parking spaces required: Existing

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: [Signature]
Applicant's signature

DOUGLAS A. FULLER JR
Applicant's printed name

Dated: 12-10-, 2020.

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-34-2010 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:

Doug Fuller

Address or description of subject property:

22 N. Lincoln Street, Hinsdale Illinois 60521

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

Operation of a Real Estate Office with a Maximum of 10 Agents, in the O-1 Office District.

Plans reviewed, if any: *See attached plans, if any. – See Case A-34-2010 – Special Use Permit*

Conditions of approval of this certificate:

- The petitioner must apply for and obtain the necessary text amendment as it relates to the proposed use.

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

- Subsection 11-602E pertaining to Standards for Special Use permits as found in the Zoning Code;

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:

12/13, 2010



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLAN COMMISSION APPLICATION
FOR OFFICE DISTRICTS**

I. GENERAL INFORMATION

Applicant

Name: Fuller's Service Center
Address: 102 W. Chicago Ave
City/Zip: Hinsdale 60521
Phone/Fax: (630) 325-0088 / (630) 325-3467
E-Mail: _____

Owner

Name: Douglas Fuller, Jr.
Address: 102 W. Chicago Ave
City/Zip: Hinsdale 60521
Phone/Fax: (630) 841-0054 / (630) 325-3467
E-Mail: da.fuller@yahoo.com

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) _____
- 2) _____
- 3) _____

II. SITE INFORMATION

Address of subject property: 22 N. Lincoln

Property identification number (P.I.N. or tax number): 09 - 01 - 330 - 006

Brief description of proposed project: repairing interior of building
for office space

General description or characteristics of the site: blue two story wooden
frame house

Existing zoning and land use: ~~0-1~~ 0-1

Surrounding zoning and existing land uses:

North: R4

South: 0-1

East: 0-1

West: 0-1

Proposed zoning and land use: office space for realtor

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: 22 N. Lincoln

The following table is based on the O-1 Zoning District. (All existing)

	Minimum Code Requirements			Proposed/Existing Development
	O-1	O-2	O-3	
Minimum Lot Area (s.f.)	8,500	25,000	20,000	13,612.5
Minimum Lot Depth	125	125	125	165
Minimum Lot Width	60	100	80	82.5
Building Height	30	40	60	existing
Number of Stories	2.5	3	5	2
Front Yard Setback	35	25	25	48.58
Corner Side Yard Setback	35	25	25	29.53
Interior Side Yard Setback	10	10	10	16.16
Rear Yard Setback	25	20	20	72.5
Maximum Floor Area Ratio (F.A.R.)*	.40	.50	.35	.18
Maximum Total Building Coverage*	35%	N/A	N/A	.09
Maximum Total Lot Coverage*	80%	80%	50%	25%
Parking Requirements	11			13
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.

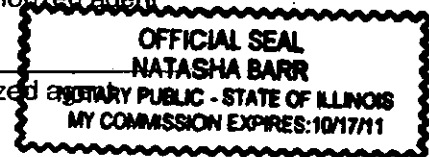
On the 20th day of October, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions.

Lizabeth Kamin
Signature of applicant or authorized agent

Lizabeth Kamin
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 20 day of
October, 2010.

Natasha Barr

Notary Public



**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: _____

22 N. Lincoln

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 use is more in line with insurance agents, medical offices, legal services and accounting services which are permitted in the O-1 District. We are limiting to 10 agents.

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

The property is surrounded on three sides by O-1 and residential on one side. The existing building blends as it is residential in nature.

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.

None

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

No change in use.

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

Nothing would change

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

Adjacent properties would not be affected.

8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.

None - zoning not changing.

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

District allows insurance agents, medical offices, legal services and accounting services. We feel a realtor is similar.

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. _____

Building and parking already exist.

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. _____

All existing.

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. _____

Building already exists.

13. The community need for the proposed amendment and for the uses and development it would allow. _____

Allowing a realtor to occupy the building will keep their business in the Village of Hinsdale and not lead them to leave town

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

**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: _____

22 N. Lincoln

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 use is more in line with insurance

agents, medical offices, legal services and accounting services
which are permitted in the O-1 District. We are limiting to 10 agents

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

The property is surrounded on three sides by O-1 and

residential on one side. The existing building blends as it
is residential in nature.

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.

None

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

No change in use.

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

Nothing would change.

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

Adjacent properties would not be affected.

8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.

None - zoning not changing.

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

District allows insurance agents, medical offices, legal services and accounting services. We feel a realtor is similar.

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. _____

Building and parking already exist.

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. _____

All existing.

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. _____

Building already exists.

13. The community need for the proposed amendment and for the uses and development it would allow. Allowing a realtor to occupy the building

will keep their business in the Village of Hinsdale
and not lead them to leave town

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

COMMUNITY DEVELOPMENT DEPARTMENT SPECIAL USE PERMIT CRITERIA

Must be accompanied by completed Plan Commission Application

Address of proposed request: 22 N. Lincoln

Proposed Special Use request: Office space for realtor

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.

We feel a realtor is suitable in the O-1 District because they now work more independently and rarely meet with clients in the office. We feel they have become more similar to the professionals already permitted.

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.

The use is similar to those already permitted.

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 _____

Building exists. No exterior improvements are proposed.

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. _____

Building exists. Footprint of building will not change.

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

Similar uses exist. Limiting office to use of 10 agents as recommended by Village Board.

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. _____

Building exists.

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. _____

The use is in line with those already permitted in the O-1 District.

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. Allowing a realtor to occupy the

building will keep their business in the Village of Hinsdale
and not lead them to leave town.

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. We feel that realtors

are more appropriate in this location than location
downtown.

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. _____

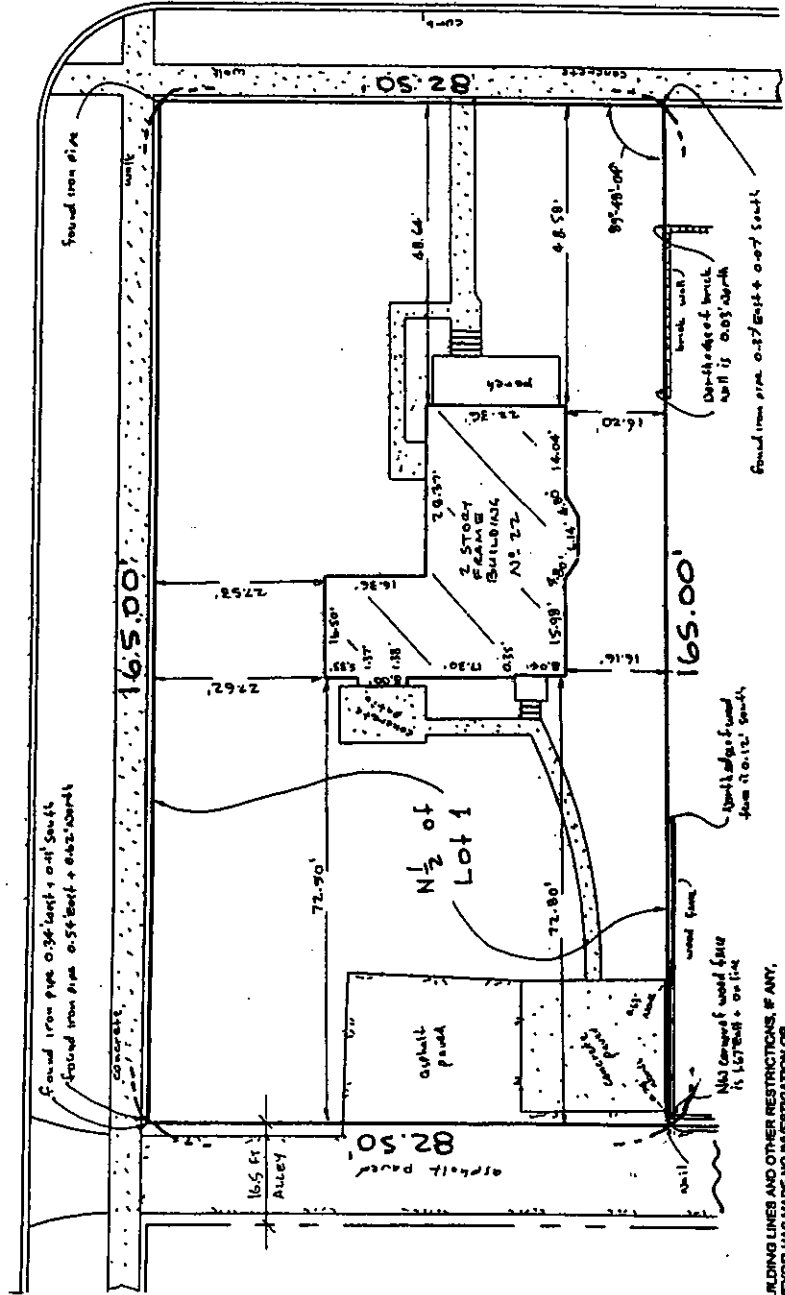
N/A - Building exists

JOSEPH M. DE CRAENE
ILLINOIS LAND SURVEYOR
8710 SKYLINE DRIVE
HINSDALE, IL 60527
PHN 630-789-0888
FAX 630-789-0887

Plat of Survey

THE NORTH HALF OF LOT 1 IN BLOCK 8 IN STOUGH'S ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION IN THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 28, 1888 AS DOCUMENT NO. 8593, IN DUPAGE COUNTY, ILLINOIS.

W. MAPLE ST.




- NOTES:
- CHECK FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS, IF ANY, NOT SHOWN HEREON. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS, ENCUMBRANCES, RESTRICTIONS, OR ANY OTHER FACTS THAT A CURRENT TITLE SEARCH MAY DISCLOSE.
 - CHECK PROPERTY DESCRIPTION HEREON AGAINST DEED.
 - SCALE HEREON MAY BE APPROXIMATE IN CERTAIN AREAS FOR CLARITY OR FROM REPRODUCTION IRREGULARITIES. DO NOT SCALE FROM PLAT.
 - CONSULT WITH SURVEYOR PRIOR TO USING THIS PLAT FOR ANY CONSTRUCTION PURPOSES. COMPARE ALL INFORMATION SHOWN BEFORE USE.
 - DO NOT ASSUME THAT PROPERTY MONUMENTS ARE AT PROPERTY CORNERS.
 - SURVEY PLAT NOT VALID UNLESS EMBOSSED IMPRESSION OF SURVEYORS SEAL IS AFFIXED HEREON.



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
DATE: MAY 7 4 A.D. 2006
ILLINOIS LAND SURVEYOR NO. 2478
LC. EXP. 11-30-2006
ORDERED BY: FULLER
ORDER NO. 060414

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: February 9, 2011
Re: Public Hearing for Case A-38-2010
Applicant: Village of Hinsdale
Request: Text Amendment to Section 9-104 F3(c), of the Hinsdale Zoning Code as it relates to Parking and Driveways for Residential Uses

For many years staff has taken the position that residential driveways were limited to 1/3rd of the lot width and no greater than 20' at the lot line based on the language in 9-104F 3(c).

Recently, an argument was made that this limitation should only apply in cases of driveways leading to detached garages based on the verbiage "no single family detached driveway". As the zoning code does not define "detached driveway", the village attorney has recommended that staff pursue a text amendment to remove the word "detached" from this provision in order to minimize the chances for challenges moving forward.

Staff is recommending that the Code be amended for the following reasons;

1. Without the 20' limitation in place, anyone with a wide lot and an attached garage would have no limitations on driveway width at the lot line other than 1/3rd lot frontage. In the case of a 200' deep corner lot with a driveway in the corner sideyard, an applicant could build a driveway with a width of 60' at the lot line.
2. Without the 20' limitation in place, permittees will be able to install wider driveways. With wider driveways comes a greater chance of off street parking in required front yards. The Code does not presently permit this.

Wider driveways and more impervious surfaces in the front yards is generally frowned upon due to the sterile streetscape it creates as well as the potential drainage problems created by additional stormwater runoff.

Attachment

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

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ARTICLE IX (DISTRICT REGULATIONS OF
GENERAL APPLICABILITY), SECTION 9-104 (OFF STREET PARKING),
SUBSECTION F (RESIDENTIAL USE REQUIREMENTS),
SUBSECTION 3 (PARKING AND DRIVEWAYS FOR RESIDENTIAL USES),
SUBSECTION (C) (WIDTHS) OF THE HINSDALE ZONING CODE
(Plan Commission Case No. A-___-2011)**

WHEREAS, the Applicant, the Village of Hinsdale ("Village"), seeks to amend Article IX (District Regulations of General Applicability), Section 9-104 (Off Street Parking), Subsection F (Residential Use Requirements), Subsection 3 (Parking and Driveways for Residential Uses), Subsection (c) (Widths) of the Hinsdale Zoning Code ("the Application") to delete the word "detached" from said subsection; and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing to consider the Application on _____, 2011, pursuant to notice thereof properly published in the *Hinsdalean* on _____, 2011, 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-___-2011; 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 9-104. Article IX (District Regulations of General Applicability), Section 9-104 (Off Street Parking), Subsection F (Residential Use Requirements), Subsection 3 (Parking and Driveways for Residential Uses), Subsection (c) (Widths of the Hinsdale Zoning Code are amended by deleting the following overstricken language to read as follows:

Sec. 9-104. Off Street Parking:

* * * *

F. Residential Use Requirements:

* * * *

3. Parking And Driveways For Residential Uses: Notwithstanding any other provision of this code, driveways serving single-family dwellings may traverse any required yard and shall conform to the following regulations:

* * * *

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

* * * *

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 _____ 2011.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2011.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

Z:\PLS\Village of Hinsdale\Ordinances\2010\10-xx Sec. 9-104 11-18-10.doc



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 Section 9-104F3(C), as it relates to Parking and Driveways for Residential Uses.

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 was a recommended course of action by the Village Attorney to further clarify a position regarding driveways that staff has always enforced procedurally. If approved, the text amendment would not change anything in terms of code requirements, but rather would clearly establish staff's existing position on driveway width and hopefully eliminate unnecessary misinterpretations.

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.

The proposed text amendment is not site specific, but it should not diminish any value as it will not change anything the Village is currently requiring.

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.

Again, nothing would change as to how interpretation of this section currently functions.

7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment. The proposed text amendment should not affect the value of any properties.

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 cut down on potential issues regarding lot coverage as well as using driveways for off-street parking. Staff believes that the Village has always viewed this type of use for driveways to be discouraged and also believes the intent was to always minimize the amount of coverage in the front yard of a single-family residence.

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.
Staff feels that if approved, the amendment of this language would only solidify what was always the intent of not only the code, but also Village officials.
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) _____

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 Section 9-104 F3(c) of the Hinsdale Zoning Code as it relates to Parking and Driveways for Residential Uses.

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: Section 9-104 as it relates to Parking and Driveways for Residential Uses.

☐ 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 22nd day of November, 2010, I/We have read the above certification, understand it, and agree to abide by its conditions. Village of Hinsdale

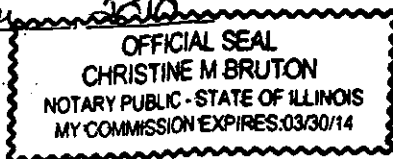
Signature of applicant or authorized agent

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 22nd day of
November 2010



Christine M. Burton
Notary Public