

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
FEBRUARY 8, 2012
MEMORIAL HALL
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:30 p.m., Wednesday, February 8, 2012 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman Byrnes, Commissioner Nelson, Commissioner Stifflear
Commissioner Cashman, Commissioner McMahon, Commissioner Crnovich,
Commissioner Johnson and Commissioner Brody

ABSENT: Commissioner Sullins

ALSO PRESENT: Sean Gascoigne, Village Planner and Robert McGinnis, Building
Commissioner and Director of Community Development

Approval of Minutes

The Plan Commission reviewed the minutes from the January 11, 2012 meeting. Commissioner Johnson motioned to approve the minutes of January 11, 2012. Commissioner Brody seconded. The motion passed unanimously.

Findings and Recommendations

53 S. Washington Street – JDR Investments/J McLaughlin – Site Plan/Exterior Appearance Approval for Façade Improvements.

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 Nelson motioned to approve the findings and recommendations for 53 S. Washington Street – JDR Investments/J McLaughlin – Site Plan/Exterior Appearance Approval for Façade Improvements. Commissioner Crnovich seconded. The motion passed unanimously.

Scheduling of Public Hearings

A-05-2012 – 49 S. Washington Street – Special Use to Allow a Physical Fitness Facility (Pilates) on the Second Floor

Chairman Byrnes stated this public hearing would be scheduled for March 14, 2012.

Public Hearing

A-37-2011 – Village of Hinsdale – Text Amendment to Section 12-206 (Definitions), as it relates to the definition of “Attached Garage”. (Transcript of the following Public Hearing on file.)

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Chairman Byrnes introduced the case and asked Mr. Gascoigne if he would summarize the requested text amendment.

Mr. Gascoigne provided a brief summary of the text amendment and explained how it came about.

Mr. Stifflear questioned what practice is currently being used if no definition existed.

Mr. McGinnis explained the current definition being used for both and provided several examples as to how architects and designers have used our current practices to accomplish what they needed to do. He explained that it was never a problem until recently when two different permits came in regarding what staff felt constituted two homes on the lot and the designers argued otherwise based on the lack of definition. He then explained that staff had surveyed other similar communities and took the most conservative approach.

General discussion ensued regarding the proposed definition and some Commissioners questioned whether the language shouldn't be modified to be even tighter. The Commissioners continued to discuss different scenarios and suggested that possibly the term "abutting" should be better defined.

Commissioner Nelson disagreed and felt that if staff thought the language, as is, would give them the greatest degree of latitude to address most of the situations, they were the ones that had to deal with it daily and the language should be left as proposed.

Mr. McGinnis offered alternative language that was considered and explained why staff felt the definition as proposed, was the best option.

Commissioner McMahon asked Mr. McGinnis the advantages and disadvantages of considering a garage attached or detached.

Mr. McGinnis explained how a builder could use either one to work in their favor, depending on the situation and what they were trying to accomplish.

Chairman Byrnes suggested the options and asked Mr. McGinnis if waiting a month to collect additional information would be helpful since it had been vetted so thoroughly already.

Mr. McGinnis agreed that he felt it had been vetted about as thoroughly as it could. He explained that it certainly wasn't going to address every situation, but would at least give staff a definition to enforce.

Chairman Byrnes agreed and said if it had to be revisited then they could do that.

Commissioner Johnson asked Mr. McGinnis for some additional clarification.

Mr. McGinnis explained the additional benefits of having a definition in place.

Plan Commission Minutes
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General discussion ensued regarding specific examples and how the proposed definition would apply.

Chairman Byrnes complemented Staff on the amount of time and effort put in and that having the definition would definitely help in most situations. He reiterated that if the definition needed to be revisited to address additional concerns at a later date, they would do that.

Commissioner Nelson motioned to approve a Text Amendment to Section 12-206 (Definitions), as it relates to the definition of "Attached Garage". Commissioner Cashman seconded. The motion passed unanimously.

Adjournment

Commissioner Nelson moved to adjourn. Commissioner Brody seconded and the meeting adjourned at 7:57 p.m. on February 8, 2012.

Respectfully Submitted,

Sean Gascoigne
Village Planner

HINSDALE PLAN COMMISSION

RE: Case A-37-2011 - Applicant: Village of Hinsdale – Request: Text Amendment to Section 12-206 (Definitions), as it relates to the definition of “Attached Garage”.

DATE OF PLAN COMMISSION REVIEW: February 8, 2012

DATE OF ZONING AND PUBLIC SAFETY REVIEW: February 27, 2012

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, the Village of Hinsdale, submitted an application to Section 12-206 (Definitions), as it relates to the definition of “Attached Garage”.
2. The Plan Commission heard testimony from Village Staff regarding the proposed text amendment at the Plan Commission meeting of February 8, 2012.
3. Certain Commissioners expressed concerns with the strictness of the language, however they ultimately agreed that the language, as constructed by staff, was appropriate and could be modified at a later date should the need arise.
4. 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 eight (8) “Ayes”, zero (0) “Nays” and one (1) “Absent” recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended as proposed.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2012.

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
Gina Hassett, Director of Parks and Recreation 
Date: March 14, 2012
Re: 500 W. Hinsdale Avenue – Hinsdale Community Pool

REQUEST

The petitioner, Village of Hinsdale's Parks and Recreation Department, is requesting exterior appearance and site plan review to allow for replacement of an existing chain-link fence around portions of the Hinsdale Community Pool. The existing chain-link fence is silver with portions repaired with wood, as depicted in the attached photos. According to the Parks and Recreation Department, even though most of the fence is buffered by mature landscaping it has little visual appeal, especially considering its existing color and current condition. They are proposing to replace it with a new chain-link fence in the exact same location. The proposed fence would be powder coated black providing the same safety benefits and protections from liability as the existing fence, but would be more visually appealing as it will blend with the existing landscaping more effectively. It should be noted that while this application is a public meeting, it falls within the recently adopted requirement to provide notification using the same standards as a public hearing, due to the fact that it falls within 250 feet of a single-family residential zoning district. Staff has confirmed that proper notification has been provided by the applicant as required.

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



**VILLAGE
OF HINSDALE** FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

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

Applicant

Name: Village of Hinsdale – Parks and Rec Dept.
Address: 19 E. Chicago Ave.
City/Zip: Hinsdale, IL 60521
Phone/Fax: (630) 789-7097 /
E-Mail: ghassett@villageofhinsdale.org

Owner

Name: Same as applicant
Address:
City/Zip:
Phone/Fax: () /
E-Mail:

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

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

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

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

- 1) Gina Hassett, Director of Parks and Recreation
- 2) Sean Gascoigne, Village Planner
- 3)

II. SITE INFORMATION

Address of subject property: 500 W. Hinsdale (Hinsdale Community Pool)

Property identification number (P.I.N. or tax number): 09-11-217-001 and -034

Brief description of proposed project: Replacement of a 6'-0" chain-link fence around the existing Community Pool.

General description or characteristics of the site: Hinsdale Community Pool

Existing zoning and land use: OS – Open Space District

Surrounding zoning and existing land uses:

North: OS, Open Space and O-2, Office South: R-4, Single Family

East: R-4, Single Family West: R-4, Single Family

Proposed zoning and land use: No Change

Existing square footage of property: 2.94 acres

Existing square footage of all buildings on the property: Approx. 975 square feet

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

☒ Site Plan Disapproval 11-604

☐ Design Review Permit 11-605E

☒ Exterior Appearance 11-606E

☐ Special Use Permit 11-602E

Special Use Requested: _____

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

☐ Planned Development 11-603E

☐ Development in the B-2 Central Business District Questionnaire

TABLE OF COMPLIANCE

Address of proposed request: 500 W. Hinsdale

The following table is based on the OS Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	No minimum per 7-210E(2)	2.94 acres
Minimum Lot Depth	No minimum per 7-210E(2)	Varies
Minimum Lot Width	No minimum per 7-210E(2)	Approx. 402 feet
Building Height	N/A	N/A
Number of Stories	N/A	
Front Yard Setback	No setback required per 7-210E(2)	N/A
Corner Side Yard Setback	No setback required per 7-210E(2)	N/A
Interior Side Yard Setback	No setback required per 7-210E(2)	N/A
Rear Yard Setback	No setback required per 7-210E(2)	N/A
Maximum Floor Area Ratio (F.A.R.)*	.20	< .20
Maximum Total Building Coverage*	N/A	N/A
Maximum Total Lot Coverage*	N/A	N/A
Parking Requirements	N/A	N/A
Parking front yard setback	No setback required per 7-210E(2)	N/A
Parking corner side yard setback	No setback required per 7-210E(2)	N/A
Parking interior side yard setback	No setback required per 7-210E(2)	N/A
Parking rear yard setback	No setback required per 7-210E(2)	N/A
Loading Requirements	N/A	N/A
Accessory Structure Information	15'-0"	N/A

* Must provide actual square footage number and percentage.

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

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 2nd day of March, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

[Signature]
Signature of applicant or authorized agent

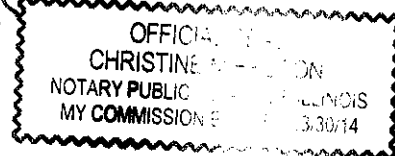
Signature of applicant or authorized agent

David C Cook
Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 2nd day of
March, 2012.

[Signature]
Notary Public





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

Address of proposed request: 500 W. Hinsdale (Hinsdale Community Pool)

REVIEW CRITERIA

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

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

FEES for Exterior Appearance/Site Plan Review:

Standard Application: \$600.00

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

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

1. *Open spaces.* The quality of the open space between buildings and in setback spaces between street and facades. N/A
2. *Materials.* The quality of materials and their relationship to those in existing adjacent structures. The fence would be a powder coated black chain-link fence which would replace the existing silver chain-link fence that is worn and dilapidated.
3. *General design.* The quality of the design in general and its relationship to the overall character of neighborhood. Again, the fence is intended to replace the existing silver chain-link fence and will be almost entirely camouflaged by the existing landscape. As such it would be far more subtle than the existing silver chain-link fence.
4. *General site development.* The quality of the site development in terms of landscaping, recreation, pedestrian access, auto access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible. N/A

-
5. *Height.* The height of the proposed buildings and structures shall be visually compatible with adjacent buildings. The proposed fence would be 6'-0" in height
-
6. *Proportion of front façade.* The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related. N/A
-
7. *Proportion of openings.* The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related. N/A
-
8. *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related. N/A
-
9. *Rhythm of spacing and buildings on streets.* The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A
-
10. *Rhythm of entrance porch and other projections.* The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related. N/A
-
11. *Relationship of materials and texture.* The relationship of the materials and texture of the façade shall be visually compatible with the predominant materials to be used in the buildings and structures to which it is visually related. N/A
-
12. *Roof shapes.* The roof shape of a building shall be visually compatible with the buildings to which it is visually related. N/A
-
13. *Walls of continuity.* Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related. N/A
-
14. *Scale of building.* The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related. N/A
-

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

N/A

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

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

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

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

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

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

4. The proposed site plan is unreasonably injurious or detrimental to the use and enjoyment of surrounding property. The proposed fence is a replacement for the silver chain-link fence that is already existing. It will be identical in size and location, but will be a black powder coated fence, so it will be less obtrusive than the existing chain-link fence.
-

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

N/A

6. The screening of the site does not provide adequate shielding from or for nearby uses.

N/A

7. The proposed structures or landscaping are unreasonably lacking amenity in relation to, or are incompatible with, nearby structures and uses. The proposed fence will be identical to the existing fence, other than the color.

8. In the case of site plans submitted in connection with an application for a special use permit, the proposed site plan makes inadequate provision for the creation or preservation of open space or for its continued maintenance. N/A
-

9. The proposed site plan creates unreasonable drainage or erosion problems or fails to fully and satisfactorily integrate the site into the overall existing and planned ordinance system serving the community. N/A
-

10. The proposed site plan places unwarranted or unreasonable burdens on specified utility systems serving the site or area or fails to fully and satisfactorily integrate the site's utilities into the overall existing and planned utility system serving the Village. N/A
-

11. The proposed site plan does not provide for required public uses designated on the Official Map. N/A
-

12. The proposed site plan otherwise adversely affects the public health, safety, or general welfare. The existing and proposed fence actually serve to protect both the Village and the property from damage and liability.
-

VILLAGE OF HINSDALE

Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Plan Commission File for 500 W. Hinsdale Avenue, regarding Exterior Appearance/Site Plan Review in 2012, for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

The Village of Hinsdale's Parks and Recreation Department

Address or description of subject property:

500 W. Hinsdale Avenue, Hinsdale, IL 60521

Use or proposal for subject property for which certificate is issued:
Replacement of a 6'-0" fence around portions of the Hinsdale Community Pool

Plans reviewed, if any: *See attached plans, if any* - See Plan Commission File for 500 W. Hinsdale Avenue, regarding Exterior Appearance/Site Plan Review in 2012.

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:

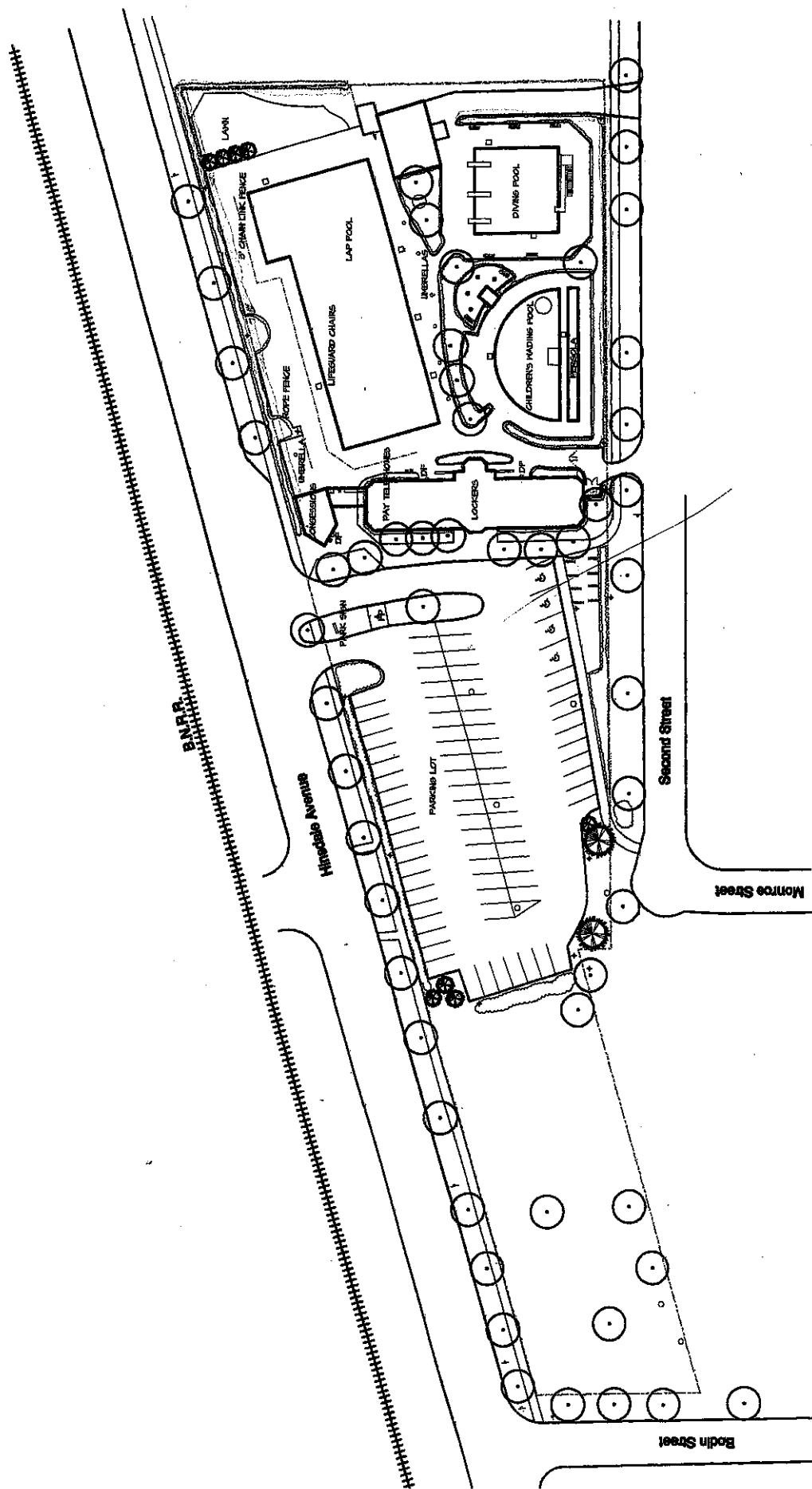
_____ 3/2, 2012

[illegible]

Hindawi Publishing Corporation

Date of Issue	10-10-99
Project No	0000-01
Designed By	James
By	By
For	For
Revisions	
No	Date

Drawing	Sheet
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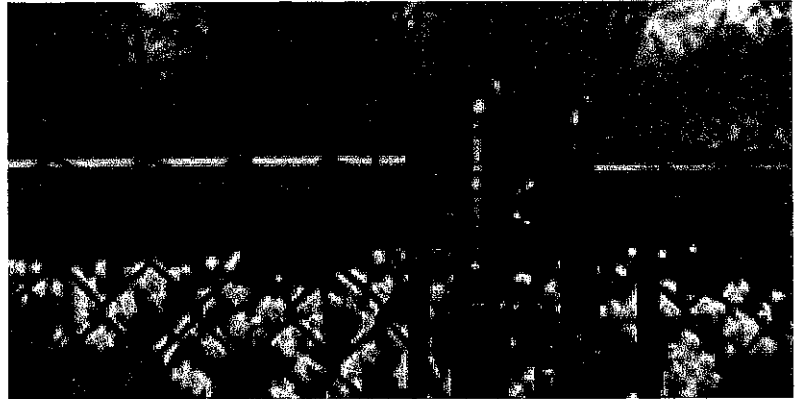
Note: The exact location of all utilities shall be verified by the Contractor prior to construction activities. For utility locations call:
JULIE: 1(800) 842-0123

Community Pool

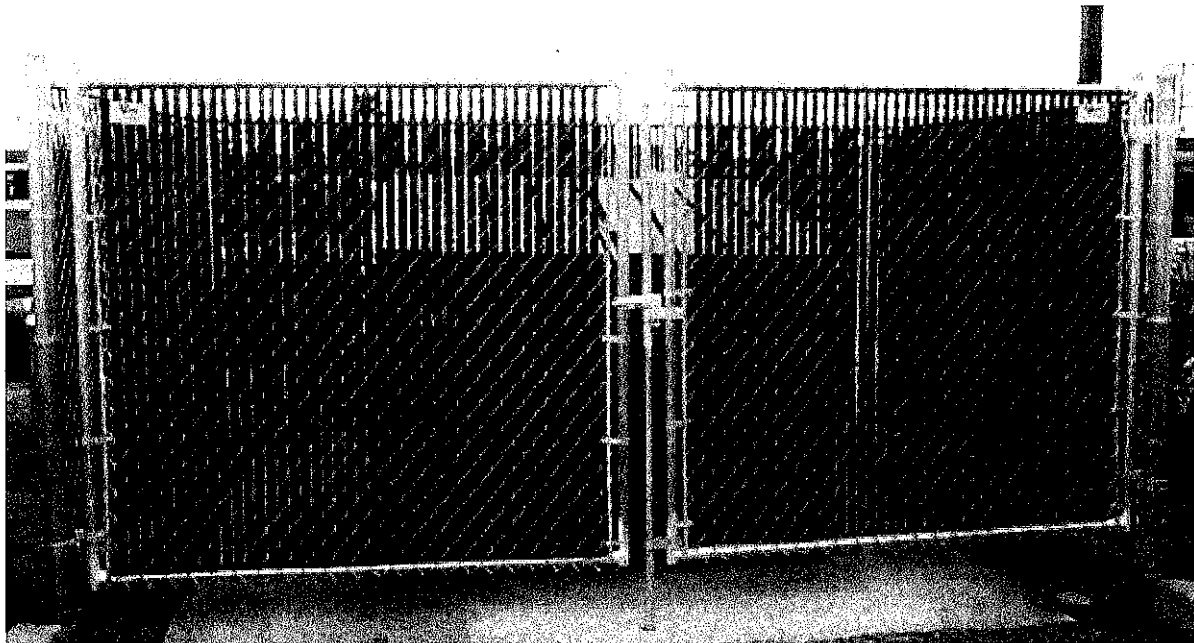
435-436-437



Replacement fence will match existing height with
Commercial grade black vinyl coated chain link fence.




Below is an example of the slates that would be added to the trash area



Existing Community Pool Fence. The majority of the fence is covered with a foliage barrier.



Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: March 14, 2012
Re: Public Hearings for Cases A-5-2012
Applicant: Tiziana Buzzi
Request: Special Use Permit for a Physical Fitness Facility (Pilates Studio) above the 1st Floor at 49 S. Washington Street

The applicant is proposing a Pilates studio to be located on the second floor of the commercial building located at 49 S. Washington Street in the B-2 Central Business District and is requesting approval of a special use to allow the business. According to Paragraph 5-105C(11), physical fitness/personal training facilities must be located above the first floor of any structure in the B-2 district and is a special use.

ZONING HISTORY/CHARACTER OF AREA

The site is located in the B-2 Central Business District. The properties to the east, west and south are located in the B-2 Central Business District and improved with commercial buildings. The building is generally located on the east side of Washington Street between Hinsdale Avenue and First Street.

GENERAL STAFF COMMENTS

The applicant is proposing a Pilates studio in one of the tenant spaces on the second floor of the subject property. According to the applicant, the classes will range from individual appointments to classes of no more than 4 students at one time. It should be noted that on March 6, 2012, the applicant was approved for a temporary use from the Board of Trustees to begin operation of the requested use while she went through the Special Use process to obtain the appropriate approvals.

Section 9-104J(v) establishes required parking for physical fitness facilities however as past Village policy has dictated, no additional off-street parking is typically required when a new tenant is located within an existing commercial building in the B-2 Central Business District.

Review Criteria

In review of the application submitted the Commission must review the criteria as stated in the Subsection 11-602E of the Zoning Code pertaining to Standards for special use permits.

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

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-05-2012 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:

Tiziana Buzzi

Address or description of subject property:

49 ½ S. Washington Street, Hinsdale Illinois 60521

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

Operation of a Pilates Studio on the 2nd Floor in the B-2 Business District.

Plans reviewed, if any: *See attached plans, if any. – See Case A-05-2012 – Special Use Permit*

Conditions of approval of this certificate:

- The petitioner must apply for and obtain the necessary special use permit 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:

2/3, 2012



VILLAGE
OF HINSDALE FOUNDED IN 1877

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT

**PLAN COMMISSION APPLICATION
FOR BUSINESS DISTRICTS**

I. GENERAL INFORMATION

Applicant

Name: TIZIANA BOZZI
Address: 2507 ARCADIA CIR
City/Zip: NAPERVILLE IL
Phone/Fax: (630) 605 5226
E-Mail: TIZIANA.BOZZI@GMAIL.COM

Owner

Name: MARION THERIOS
Address: 5912 STERNMAN AVE
City/Zip: DOWNERS GROVE
Phone/Fax: () /
E-Mail:

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

Name: DANA KURTZ
Title: ATTORNEY AT LAW
Address: 32 BLAINE STREET
City/Zip: HINSDALE 60521
Phone/Fax: (630) 323 9444
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: 49 1/2 S. WASHINGTON

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

Brief description of proposed project: YND/BODY STUDIO (PILATES)

General description or characteristics of the site: EXISTING BUILDING

Existing zoning and land use: B-2

Surrounding zoning and existing land uses:

North: B-2

South: B-2

East: B-2

West: B-2

Proposed zoning and land use: B-2

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: 49 1/2 S. WASHINGTON

The following table is based on the _____ Zoning District.

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	<i>Existing Building</i>
Minimum Lot Area	6,250	2,500	6,250	
Minimum Lot Depth	125'	125'	125'	
Minimum Lot Width	50'	20'	50'	
Building Height	30'	30'	30'	
Number of Stories	2	2	2	
Front Yard Setback	25'	0'	25'	
Corner Side Yard Setback	25'	0'	25'	
Interior Side Yard Setback	10'	0'	10'	
Rear Yard Setback	20'	20'	20'	
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	
Maximum Total Building Coverage*	N/A	80%	N/A	
Maximum Total Lot Coverage*	90%	100%	90%	
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 (height)	15'	15'	15'	

* Must provide actual square footage number and percentage.

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



**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: 49 1/2 S. WASHINGTON

Proposed Special Use request: PILATES - MIND/BODY STUDIO

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.

*Similar type uses already exist in
Town*

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.

*Cover no more than 4 people
at once*

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 N/A

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

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

Cars are very small up to
4 people only

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

Building is existing

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.

Similar uses exist in downtown

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.

IT's a good complement to the
existing tenants in that
building

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.

The zoning dictates upper floor
and small size of my business
fits well

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.

This building is existing

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

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

On the 01, day of 30, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

Tiziana Bozzi
Signature of applicant or authorized agent

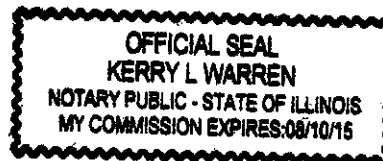
Signature of applicant or authorized agent

TIZIANA BOZZI
Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 30th day of
January, 2012.

Kerry L Warren
Notary Public



**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
B-2 CENTRAL BUSINESS DISTRICT QUESTIONNAIRE**

Must be accompanied by completed Plan Commission Application

Address of proposed request: 49 1/2 S. WASHINGTON

Questionnaire – B-2 Central Business District

The Hinsdale Zoning Code intends, in part, "to protect, preserve and enhance the character and architectural heritage of the Village." Recognizing that the buildings in the B-2 Central Business District are significant, reasonable considerations may be prudent to provide minimum, compatible alterations to the existing exterior. Distinctive architectural features identify the buildings uniqueness and may enhance the overall streetscape.

The purpose of this questionnaire is to transmit information to the Village concerning the proposed plans to change the exterior of the building. The completion of this questionnaire is in no way intended to be determinative on the approval or denial of the application.

1. *Impact on Historic or Architectural Significant Area.* Will the historic and/or architectural significance of the B-2 Central Business District be affected by the proposed changes to the building under review? If so, please explain how. _____

N/A

2. *Impact on Significant Features of Buildings.* State the effects of the proposed changes on the historic and/or architectural significance of the building under review, including the extent to which the changes would cause the elimination, or masking, of distinguishing original architectural features. _____

N/A

3. *Replacement Rather than Restoration.* Will the changes proposed replace rather than restore deteriorated materials or features? If so, will the replacements be made with compatible materials and historically and architecturally accurate designs? _____

N/A

4. *Future Improvements.* Are the proposed improvements to the building designed so that the architectural integrity of the building under review will not be impaired if those improvements are removed in the future? Please explain. _____

N/A

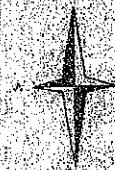
5. *Reduction of Amount of Demolition.* State the alternatives that were considered in the design to minimize the amount of demolition of the building under review.

N/A

PLAT OF SURVEY

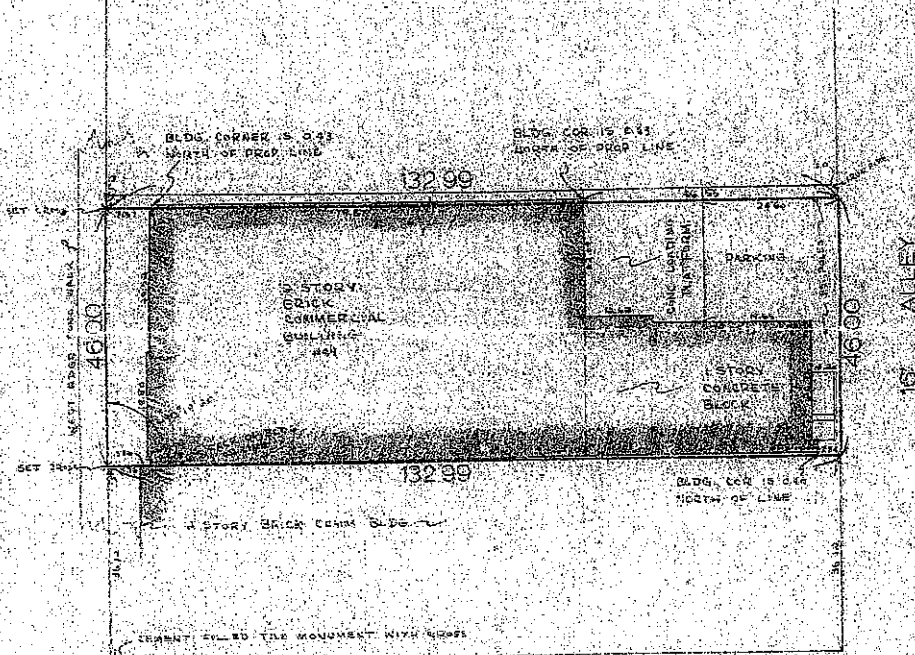
of

THE SOUTH 46 FEET OF THE NORTH 47 FEET OF LOT 7 IN ROHN'S SUBDIVISION OF LOTS 2, 5, 6, 9, AND 10 IN BLOCK 2 IN HINSDALE, IN PART OF THE NORTH WEST QUARTER OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.



SCALE 1" = 15'

WASHINGTON ST. (66')



1ST. ST. (66')

THESE LOTS ARE THE SAME AS THOSE SHOWN ON THE PLAT OF SURVEY DATED JANUARY 1, 1906, AND ARE THE SAME AS THOSE SHOWN ON THE PLAT OF SURVEY DATED JANUARY 1, 1906, AND ARE THE SAME AS THOSE SHOWN ON THE PLAT OF SURVEY DATED JANUARY 1, 1906.

Wm. L. Tott
Surveyor

For Right of Way and
Surveying, refer to your
order. Keep the plat in
and Good Condition.

COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE

FROM RIDES AT ALL
CORNERS UNLESS
OTHERWISE NOTED.

JOB NO. 1286
BOOK F-23 PAGE 1
DRAWN BY: D.W.S.
CHECKED BY: B.L.W.

