

**AGENDA**  
**Village Of Hinsdale**  
**Plan Commission**  
**Wednesday, November 14, 2012**  
**Memorial Hall, Memorial Building**  
**7:30 PM**  
(Tentative and Subject to Change)

1. **Minutes** – Minutes of October 10, 2012
2. **Findings and Recommendations** –
  - a. 40 S. Clay – Village Children’s Academy – New Fence for Children’s Play Area
  - b. 125 S. Vine – Zion Lutheran - Major Adjustment to the approved Planned Development to allow a Music School and Tutoring Services as Permitted Uses.
  - c. A-25-2012 – Village of Hinsdale – Text Amendment to Section 9-106 as it relates to Political Signage.
  - d. A-26-2012 – Village of Hinsdale – Text Amendment to Section 11-604 as it relates to Site Plan Approval.
3. **Public Hearings** - Recommendations forwarded to next Zoning & Public Safety Committee Meeting. All those wishing to provide public testimony must be sworn in and after the applicant makes their presentation will be recognized by the Chair to speak.
  - a. A-32-2012 – Matthew Scarpelli – Special Use to Allow a Musical Tutoring Service at 28 E. Hinsdale Avenue.
4. **Adjournment**

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Darrell Langlois, ADA Coordinator at 630.789-7014 or by TDD at 789-7022 promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons.

Web Site: [www.villageofhinsdale.org](http://www.villageofhinsdale.org)

**MINUTES  
VILLAGE OF HINSDALE  
PLAN COMMISSION  
OCTOBER 10, 2012  
MEMORIAL HALL  
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:36 p.m., Wednesday, October 10, 2012 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

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

**ABSENT:** Commissioner Sullins and Commissioner Brody

**ALSO PRESENT:** Sean Gascoigne, Village Planner

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**Approval of Minutes**

The Plan Commission reviewed the minutes from the September 12, 2012 meeting. Commissioner Nelson motioned to approve the minutes of September 12, 2012. Commissioner Crnovich seconded. The motion passed unanimously.

**Findings and Recommendations**

**620 N. Oak – The Chapel – Parking Lot 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 620 N. Oak – The Chapel – Parking Lot Improvements. Commissioner Cashman seconded. The motion passed unanimously.

**29 E. First Street – Cine Restaurant – Two New Awnings with Signage and One New Wall Sign.** 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 Cashman motioned to approve the findings and recommendations for 29 E. First Street – Cine Restaurant – Two New Awnings with Signage and One New Wall Sign. Commissioner McMahon seconded. The motion passed unanimously.

**A-21-2012 – Jennifer McIntyre Grapes - Special Use to Allow a Dance Studio at 414 Chestnut Avenue.** Chairman Byrnes provided a brief summary of the discussion that took place on this agenda item at the last Plan Commission meeting and highlighted the findings and recommendations that were included based on these discussions. Commissioner McMahon motioned to approve the findings and recommendations for case A-21-2012 – Jennifer McIntyre Grapes - Special Use to Allow a Dance Studio at 414 Chestnut Avenue. Commissioner Nelson seconded. The motion passed unanimously.

**Plan Commission Minutes  
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**Scheduling of Public Hearings**

**A-32-2012 – Matthew Scarpelli – Special Use to Allow a Musical Tutoring Service at 28 E. Hinsdale Avenue**

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

**Exterior Appearance/Site Plan Review**

**40 S. Clay – Village Children’s Academy – New Fence for Children’s Play Area**

Chairman Byrnes introduced the case and asked if the applicant was present.

Rob Tullis introduced himself and summarized the request, which included the installation of a new decorative aluminum fence for the existing daycare.

General discussion ensued regarding the proposal and the location, material and color of the fence.

Commissioner Nelson motioned for the approval of Exterior Appearance for the new decorative fence at 40 S. Clay. Commissioner Cashman seconded. The motion passed unanimously.

Commissioner Cashman motioned to disapprove the Site Plan for the new decorative fence at 40 S. Clay. Commissioner Crnovich seconded. The motion failed and the site plan was approved unanimously.

**125 S. Vine – Zion Lutheran - Major Adjustment to the approved Planned Development to allow a Music School and Tutoring Services as Permitted Uses.**

Keith Larson introduced himself and summarized the request, which included the allowance of a music school and tutoring service at the subject property. He explained the specifics regarding the proposal, including typical hours and days of operation and indicated that the uses exist but they became aware that they were required to get additional approvals to allow them.

Ryan Miller introduced himself and summarized the proposal for the music school. He indicated the hours would generally be from 3 p.m. to 8:30 p.m. and that there would be approximately 4-5 students per teacher maximum.

Commissioner Stifflear questioned how the school became aware of the available space.

Mr. Miller explained how they became aware of the site and that it wasn’t marketed or solicited.

General discussion ensued regarding the existing uses, its current capacity and future intentions of the church.

Commissioner Crnovich explained that several churches operate similar uses and complimented the church for reaching out to the neighbors.

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Chairman Byrnes confirmed that the applicant felt they had adequate parking.

Mr. Larson handed out a parking study and explained there was plenty of parking.

Mr. Gascoigne stated that the primary intention of sending this back to the Plan Commission was to provide the neighbors notification and that he wanted to confirm for the record that the applicant had provided the documentation certifying that mailing.

General discussion ensued regarding the parking as well as the existing single family homes which were part of the existing Planned Development.

Commissioner Johnson mentioned a letter provided by a resident and clarified specifics regarding the tutoring service.

Commissioner Crnovich expressed concern with single-family homes being part of the Planned Development.

Chairman Byrnes asked if the Commission was required to place conditions on approvals like this, to establish restrictions.

Mr. Gascoigne explained that they were not required to, but if the Commission felt it was appropriate they were certainly permitted to.

Chairman Byrnes explained that he didn't see a need to place restrictions and wanted to confirm there was no requirement to do so.

Commissioner Stifflear stated that while he didn't have any concerns with this request, he expressed concerns with the potential for requests of different uses slowly filling the school over time.

Mr. Larson explained that it wasn't their intent to bring forward any uses that wouldn't be appropriate for a school setting, but that any proposed uses would need to follow this same protocol and appear in front of the Board and/or Commission.

General discussion ensued regarding the single family uses and Mr. Larson explained that it would be a reasonable goal to try and get those back to a single family zoning district, especially if that was a desire of the Village.

Commissioner Cashman confirmed that a school would still be permitted there, should it ever find itself vacant again.

Mr. Gascoigne confirmed that they could certainly do that going through the same adjustment process.

Commissioner Cashman and Commissioner Johnson both confirmed that they felt these uses were ideal and were in line with what was intended for the building.

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October 10, 2012**

General discussion ensued and Commissioner Stifflear indicated that he would like to see the minutes reflect that the uses are very similar to the original request and that he would have a much different opinion if the proposed uses were anything other than educational.

Chairman Byrnes stated that he didn't see the need to place conditions or restrictions on these uses and the Commission agreed.

Commissioner Nelson motioned for the approval of a Major Adjustment to the approved Planned Development to allow a music school and tutoring service at 125 S. Vine Street. Commissioner Cashman seconded. The motion passed unanimously.

**Public Hearings**

**A-25-2012 – Village of Hinsdale – Text Amendment to Section 9-106 as it relates to Political Signage. (Transcript of the following Public Hearing on file.)**

Chairman Byrnes opened the public hearing, introduced the case and asked the Village to summarize the request.

Mr. Gascoigne summarized the request and explained why the changes were being proposed.

Michael Marrs, Village Attorney, introduced himself and expanded on Mr. Gascoigne's summary. He explained the additional requirements the Commission may want to address and suggested some discussion points to consider as part of their deliberations.

General discussion ensued regarding the different variety of yard signs, how they are categorized and how those allowances should be compared to political signs.

The Commission discussed requirements in other municipalities, current requirements for similar temporary signs in the Village and how the new restrictions should be applied to Hinsdale's definition. As a result they agreed that a restriction of one sign per candidate or issue was appropriate and that the allowance for private sale signs be reduced to four square feet to be consistent with other temporary sign restrictions.

Commissioner Nelson motioned for the approval of a Text Amendment to Section 9-106 as it relates to Political Signage with the conditions that the signs be restricted to one sign per candidate or issue and the reduction of private sale signs from six square feet to four. Commissioner Cashman seconded. The motion passed unanimously.

**A-26-2012 – Village of Hinsdale – Text Amendment to Section 11-604 as it relates to Site Plan Approval.**

Chairman Byrnes opened the public hearing and summarized the request.

Commissioner Nelson motioned for the approval of a Text Amendment to Section 11-604 as it relates to Site Plan Approval. Commissioner Crnovich seconded. The motion passed unanimously.

**Plan Commission Minutes  
October 10, 2012**

**Adjournment**

Commissioner Johnson moved to adjourn. Commissioner Nelson seconded and the meeting adjourned at 8:30 p.m. on October 10, 2012.

Respectfully Submitted,

Sean Gascoigne  
Village Planner

# HINSDALE PLAN COMMISSION

**RE: 40 S. Clay – Village Children’s Academy - Exterior Appearance and Site Plan Review**

**DATE OF PLAN COMMISSION REVIEW: October 10, 2012**

**DATE OF ZONING AND PUBLIC SAFETY REVIEW: October 22, 2012**

## FINDINGS AND RECOMMENDATION

### I. FINDINGS

1. Rob Tullis, contractor and applicant on behalf of Village Children’s Academy, (the “Applicant”) submitted an application Exterior Appearance and Site Plan Review Approval for the Installation of a New Fence for a Children’s Play Area, to the Village of Hinsdale for the property located at 40 S. Clay (the “Subject Property”).
2. The Subject Property is zoned in the O-2, Limited Office District and improved with two multi-story office buildings.
3. The applicant is proposing to install a new ornamental aluminum fence for a children’s play area, which will be approximately 28’-0” x 18’-0”.
4. The proposed fence would match the appearance of the existing aluminum fence which already exists on the Clay Street side of the building.
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 7 “Ayes,” 0 “Nays,” and 2 “absent”, recommends that the President and Board of Trustees of the Village of Hinsdale approve the exterior appearance and site plans for 40 S. Clay Street.

THE HINSDALE PLAN COMMISSION

By: \_\_\_\_\_  
Chairman

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

## **HINSDALE PLAN COMMISSION**

**Re: 125 S. Vine Street – Zion Lutheran Church - Request: Major Adjustment to a Planned Development to Allow a Music School and Tutoring Service at 125 S. Vine Street**

**DATE OF PLAN COMMISSION REVIEW: October 10, 2012**

**DATE OF ZONING & PUBLIC SAFETY REVIEW: October 22, 2012**

### **FINDINGS AND RECOMMENDATION**

#### **I. FINDINGS**

1. The Applicant, Zion Lutheran Church, submitted an application for a Major Adjustment to a Planned Development to allow a music school and tutoring service at 125 S. Vine Street.
2. The property is located within the IB Institutional Buildings District and improved with an existing school where a private elementary school operated previously.
3. The Plan Commission heard a presentation from the applicant regarding the proposed requests, including proposed hours, days and class sizes for the two uses, at the Plan Commission meeting of October 10, 2012.
4. The Commissioners asked the applicant questions regarding the proposed use, which included the church's long term goals and intentions for the school building.
5. Certain Commissioners expressed concerns with the residential homes being part of the Planned Development and while the applicant did not identify any immediate plans for those lots, they indicated their general support to see those lots removed from the Planned Development and returned to residential zoning.
6. The Commissioners agreed that the proposed uses were a good fit for the location and indicated they didn't see any need to restrict the time, day or hours of operation for either use.
7. The Plan Commission specifically finds that based on the Application and the evidence presented at the public meeting, the Applicant has satisfied the standards in Section 11-603 of the Zoning Code applicable to approval of a major adjustment to Planned Developments. Among the evidence relied upon by the Plan Commission is the fact that the uses will be located in an existing building specifically designed for school uses, that a school has operated at this location in the past and that generally, the requested uses are appropriate for this location.



## II. RECOMMENDATION

The Village of Hinsdale Plan Commission, by a vote of seven (7) "Ayes," 0 "Nay," two (2) "Absent", recommends that the President and Board of Trustees approve the Application for a Major Adjustment to a Planned Development to Allow a Music School and Tutoring Service at 125 S. Vine Street

THE HINSDALE PLAN COMMISSION

By: \_\_\_\_\_  
Chairman

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

## HINSDALE PLAN COMMISSION

**RE: Case A-25-2012 – Applicant: Village of Hinsdale – Request: Text Amendment to Section 9-106(F)9 (Signs), as it relates to Political Signage.**

**DATE OF PLAN COMMISSION REVIEW: October 10, 2012**

**DATE OF ZONING & PUBLIC SAFETY REVIEW: October 22, 2012**

### FINDINGS AND RECOMMENDATION

#### I. FINDINGS

1. The Applicant, the Village of Hinsdale, submitted an application to Section 9-106(F)9 (Signs), as it relates to Political Signage.
2. The Plan Commission heard testimony from Village Staff regarding the proposed text amendment at the Plan Commission meeting of October 10, 2012.
3. Commissioners expressed concerns with the length of time the signs were able to stay up however the Village Attorney advised the Commission that this was the area of the state statutes that the Village could not preempt.
4. The Commission agreed that one sign per lot was slightly restrictive and that a more appropriate standard would be one sign per candidate or issue.
5. Commissioners also discussed and agreed that while they felt 4 square feet was a reasonable size limitation, it was advisable to reduce the allowance for “private sale signs” from 6 square feet to 4 square feet, to remain consistent with the other temporary signs permitted in this section.
6. 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 seven (7) “Ayes”, zero (0) “Nays” and two (2) “Absent” recommends to the President and Board of Trustees that the Hinsdale Zoning Code be amended as proposed with the additional conditions of one sign per candidate or issue and reducing the allowed size of private sale signs from 6 square feet to four.

THE HINSDALE PLAN COMMISSION

By: \_\_\_\_\_  
Chairman

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

**HINSDALE PLAN COMMISSION**

**RE: Case A-26-2012 – Applicant: Village of Hinsdale – Request: Text Amendment to Section 11-604(F)1 (Site Plan Review), as it relates to the approval process.**

**DATE OF PLAN COMMISSION REVIEW: October 10, 2012**

**DATE OF ZONING & PUBLIC SAFETY REVIEW: October 22, 2012**

**FINDINGS AND RECOMMENDATION**

**I. FINDINGS**

1. The Applicant, the Village of Hinsdale, submitted an application to Section 11-604(F)1 (Site Plan Review), as it relates to the approval process.
2. The Plan Commission heard testimony from Village Staff regarding the proposed text amendment at the Plan Commission meeting of October 10, 2012.
3. Commissioners have expressed concern and confusion over the past several years as to why the zoning code identifies the site plan process as disapproval rather than approval and therefore welcomed and supported the proposed changes.
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 seven (7) “Ayes”, zero (0) “Nays” and two (2) “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  
David Cook, Village Manager  
**Date:** November 14, 2012  
**Re:** Public Hearing for Case A-32-2012  
Applicant: Matthew Scarpelli  
Request: Special Use Permit for a Musical Tutoring Service below the 1<sup>st</sup> Floor at 28 E. Hinsdale Avenue

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The applicant is proposing a musical tutoring service to be located below the first floor of the commercial building located at 28 E. Hinsdale Avenue in the B-2 Central Business District and is requesting approval of a special use to allow the business. According to Paragraph 5-105C(22), musical tutoring services are permitted as special uses in the B-2, provided they are not on the first floor.

## **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 south side of Hinsdale Avenue between Garfield Avenue and Washington Street, across from the train station and Burlington Park.

## **GENERAL STAFF COMMENTS**

The applicant is proposing a musical tutoring service in one of the below grade tenant spaces of the subject property. According to the applicant, the classes will be small and use instruments that pose no noise concerns to the neighbors or the immediate area.

Section 9-104 establishes required parking, 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.

Attachment

Cc: President Cauley and Village Board of Trustees

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

**Application for Certificate of Zoning Compliance**

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

Applicant's name: Matthew Scarpelli  
Owner's name (if different): Daniel Spinazola  
Property address: 28 E. Hinsdale Ave, Lower Suite 1, Hinsdale, IL 60521  
Property legal description: [attach to this form]  
Present zoning classification: B-2 Central Business District  
Square footage of property: \_\_\_\_\_  
Lot area per dwelling: \_\_\_\_\_  
Lot dimensions: \_\_\_\_\_  
Current use of property: retail/residential (1st/2nd floors); basement available  
Proposed use:  Single-family detached dwelling  
 Other: Musical Tutoring (basement level)  
Approval sought:  Building Permit       Variation  
 Special Use Permit       Planned Development  
 Site Plan       Exterior Appearance  
 Design Review  
 Other: \_\_\_\_\_

**Brief description of request and proposal:**

I am seeking a special use permit to operate a musical tutoring service at the above address.

**Plans & Specifications:** [submit with this form]

Yards:      Provided:      Required by Code:

front:      \_\_\_\_\_      \_\_\_\_\_  
interior side(s)        /          /  

\*EXISTING  
BUILDING\*

**Provided:**

**Required by Code:**

corner side \_\_\_\_\_  
rear \_\_\_\_\_

**Setbacks (businesses and offices):**

front: \_\_\_\_\_  
interior side(s) \_\_\_\_\_ / \_\_\_\_\_  
corner side \_\_\_\_\_  
rear \_\_\_\_\_  
others: \_\_\_\_\_  
Ogden Ave. Center: \_\_\_\_\_  
York Rd. Center: \_\_\_\_\_  
Forest Preserve: \_\_\_\_\_

# EXISTING  
BUILDING  
DOWNTOWN JPS

**Building heights:**

principal building(s): \_\_\_\_\_  
accessory building(s): \_\_\_\_\_

**Maximum Elevations:**

principal building(s): \_\_\_\_\_  
accessory building(s): \_\_\_\_\_

**Dwelling unit size(s):** \_\_\_\_\_

**Total building coverage:** \_\_\_\_\_

**Total lot coverage:** \_\_\_\_\_

**Floor area ratio:** \_\_\_\_\_

**Accessory building(s):** \_\_\_\_\_

**Spacing between buildings:** [depict on attached plans]

principal building(s): \_\_\_\_\_  
accessory building(s): \_\_\_\_\_

**Number of off-street parking spaces required:** \_\_\_\_\_

**Number of loading spaces required:** \_\_\_\_\_

**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: Matthew Scarpelli  
Applicant's signature

Matthew Scarpelli  
Applicant's printed name

Dated: 8/13/2012, 2012.

# 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-32-2012 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:

Matthew Scarpelli

Address or description of subject property:

28 E. Hinsdale Avenue, Hinsdale Illinois 60521

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

Operation of a Music Tutoring Service below the 1<sup>st</sup> Floor in the B-2 Business District.

Plans reviewed, if any: *See attached plans, if any. – See Case A-32-2012 – 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:

8/17, 20 12





VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT  
DEPARTMENT

VILLAGE  
OF HINSDALE FOUNDED IN 1873

PLAN COMMISSION APPLICATION  
FOR BUSINESS DISTRICTS

I. GENERAL INFORMATION

<b>Applicant</b>
Name: <u>Matthew Scarpelli</u>
Address: <u>9340 S. Madison St.</u>
City/Zip: <u>Willowbrook, IL 60527</u>
Phone/Fax: <u>(709) 708 / -4622</u>
E-Mail: <u>matscarpelli35@hotmail.com</u>

<b>Owner</b>
Name: <u>Daniel Spinazola</u>
Address: <u>417 Forest Rd</u>
City/Zip: <u>Hinsdale, IL 60521</u>
Phone/Fax: <u>(630) 323 / 4370</u>
E-Mail: <u>-</u>

<b>Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)</b> <u>N/A</u>
--

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

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

<b>Disclosure of Village Personnel:</b> (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) _____ <u>N/A</u>
2) _____
3) _____

II. SITE INFORMATION

Address of subject property: 28 E Hinsdale Ave.

Property identification number (P.I.N. or tax number): 9 - 12 - 129 - 003

Brief description of proposed project: Music tutoring service -

Special use permit required/requested

General description or characteristics of the site: Existing two-story building downtown; tenant space is lower level

Existing zoning and land use: B-2 Central Business District

Surrounding zoning and existing land uses:

North: B-2 (railroad station)

South: B-2 (retail)

East: B-2 (retail)

West: B-2 (retail)

Proposed zoning and land use: Existing 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: Operate music tutoring service (in lower basement level of downtown building)
- 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: 28 E Hinsdale Ave

The following table is based on the B-2 Zoning District.

*\*Existing building and  
tenant  
space\**

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	
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: \_\_\_\_\_

# 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 13th day of August, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

Matthew Scarpelli  
Signature of applicant or authorized agent

\_\_\_\_\_  
Signature of applicant or authorized agent

Matthew Scarpelli  
Name of applicant or authorized agent

\_\_\_\_\_  
Name of applicant or authorized agent

SUBSCRIBED AND SWORN  
to before me this 13th day of  
August, 2012.

Christine M. Bruton  
Notary Public

4





COMMUNITY DEVELOPMENT DEPARTMENT  
SPECIAL USE PERMIT CRITERIA

VILLAGE  
OF HINSDALE FOUNDED IN 1873

Must be accompanied by completed Plan Commission Application

Address of proposed request: 29 E Hinsdale Ave., Lower Suite #1, Hinsdale, IL, 60521

Proposed Special Use request: Musical Tutoring Services

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.

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.

Yes, I will be maintaining a low maintenance musical tutoring service in said zone.

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.

There will be <sup>NO</sup> adverse effects to the property and/or character of the area.

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 \_\_\_\_\_

*I, or my service, will have no impact on any surrounding development.*

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. \_\_\_\_\_

*Essential public facilities and services will be provided.*

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

*There will be no added traffic congestion as a result of my service.*

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. \_\_\_\_\_

*There will be no damage or changes of any significant features.*

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. \_\_\_\_\_

*Yes, I will be in total ~~compliance~~ compliance with all standards.*

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. \_\_\_\_\_

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. I will be contributing to the general welfare of

my clients/customers by enhancing their musical ability & music appreciation.

*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. There is no other site that I can

~~use~~ use in the area.

*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. \_\_\_\_\_

The nature of the tutoring service will not disrupt any business near my service.