

**VILLAGE OF HINSDALE
VILLAGE BOARD OF TRUSTEES
MINUTES OF THE MEETING
October 5, 2010**

The regularly scheduled meeting of the Hinsdale Village Board of Trustees was called to order by President Tom Cauley in Memorial Hall of the Memorial Building on Tuesday, October 5, 2010 at 7:30 p.m.

Present: President Tom Cauley, Trustees J. Kimberley Angelo, Bob Saigh, Laura LaPlaca, Doug Geoga and Bob Schultz

Absent: Trustee Cindy Williams

Also Present: Village Attorney Ken Florey, Village Manager Dave Cook, Assistant Village Manager/Director of Finance Darrell Langlois, and Deputy Village Clerk Christine Bruton

Also Present: Pam Lannom-The Hinsdalean, Don Grigus-Suburban Life

PLEDGE OF ALLEGIANCE

President Cauley led those in attendance in the recitation of the Pledge of Allegiance.

APPROVAL OF MINUTES

Trustee Angelo moved **to approve the minutes of the Meeting of September 21, 2010**. Trustee LaPlaca seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

PROCLAMATION – INTERNATIONAL WALK TO SCHOOL DAY

President Cauley read the International Walk to School Day proclamation announcing Wednesday, October 6, 2010 as the official day.

CITIZENS' PETITIONS

Maryanne Romanelli of 1217 Hawthorne Court, addressed the Board and invited all to come out and walk at one of the schools tomorrow, for health and safety and to bring the school and Village communities together. She thanked the Police and Fire Departments and Village personnel for creating a safe environment for the event.

VILLAGE PRESIDENT'S REPORT

Sales Tax Referendum

President Cauley reported that last week the first of four informational flyers on the sales tax referendum was sent to residents. He urged people to read the flyer and to contact Village Manager Dave Cook, Finance Director Darrell Langlois or himself with any questions about the referendum. He explained that the purpose of the 1% increase is to fund the infrastructure master plan, and by law that is the only purpose those funds can be used for. He noted that this sales tax increase will be born mostly by non-residents; the cost to the average Hinsdale household will be approximately \$100.00 per year. He explained why further budget cuts will not solve the infrastructure problem, he outlined the budget reductions made over the last few years, noting that the Board will continue to scrutinize the budget for additional opportunities to make cuts, but any further drastic cutting would carry public safety risks and could seriously impact the delivery of basic Village services. The fact is the infrastructure master plan cannot be funded through budget cuts alone, the sales tax referendum needs to be passed.

Economic Development Director/New Task Force

President Cauley commented that in addition to fixing the roads and sewers, this Board is committed to revitalizing the downtown business district. The Board has recently taken two steps toward that goal. Mr. Tim Scott, currently Community Development Strategist, has been promoted to Economic Development Director and Trustee Angelo will chair an economic development task force that will include merchants, realtors and landlords and compliment the work of the Economic Development Commission and Mr. Scott.

CONSENT AGENDA

President Cauley read the Consent Agenda, as follows:

Items Recommended by Administration and Community Affairs

Item A: Approve the Village's Comprehensive Annual Financial Report and Management Letter

Trustee LaPlaca moved to **approve the Consent Agenda, as presented.** Trustee Geoga seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

President Cauley thanked Trustee Geoga for all his hard work on the Financial Report and Management Letter.

ADMINISTRATION AND COMMUNITY AFFAIRS

Accounts Payable

President Cauley asked for a motion for the **Approval and Payment of the Accounts Payable for the Period of September 18, 2010 through October 1, 2010 in the aggregate amount of \$569,802.73 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.** So moved by Trustee Angelo and seconded by Trustee Geoga. Trustee LaPlaca commented that she reviewed the bag and all is in order.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None

ABSENT: Trustee Williams

Motion carried.

ENVIRONMENT AND PUBLIC SERVICES

No report.

ZONING AND PUBLIC SAFETY

No report.

REPORTS FROM ADVISORY BOARDS AND COMMISSIONS

None.

STAFF REPORTS

None.

CITIZENS' PETITIONS

None.

TRUSTEE COMMENTS

None.

ADJOURNMENT

There being no further business before the Village Board of Trustees, and no need for a Closed Session, Trustee Angelo **moved to adjourn the meeting of October 5, 2010.** Trustee Saigh seconded the motion.

AYES: Trustees Angelo, Saigh, LaPlaca, Geoga, Schultz

NAYS: None

ABSTAIN: None


ABSENT: Trustee Williams

Motion carried.

Meeting adjourned at 7:49 p.m.

ATTEST: _____
Christine M. Bruton, Deputy Village Clerk

MEMORANDUM


Date: October 15, 2010
To: President and Board of Trustees
From: Chris Bruton, Deputy Clerk 
RE: Village Board Agenda for October 19, 2010

Please note that a copy of all materials listed under the Consent Agenda from the Environment & Public Services Committee can be found in the EPS packet for the meeting held on October 18th.

Thank you.

cc: Village Attorney
Department Heads

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development			
ITEM Case A-17-2010 – Applicant: Village of Hinsdale – Request: Text Amendment to Section 11-503 (Variations), of the Hinsdale Zoning Code to give the Board of Trustees the authority to grant certain variations.	APPROVAL			
<p>The Applicant, the Village of Hinsdale, has submitted an application to amend Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Appeals and Variations), Section 11-503 (Variations), of the Village of Hinsdale Zoning Code, to give the Board of Trustees the authority to grant certain variations.</p> <p>Currently the zoning code grants the Zoning Board of Appeals the authority to hear applications for variations on a limited number of conditions, while Illinois State Statute affords municipalities the authority for their Village Board to hear variations not otherwise authorized by the Zoning Board of Appeals. The proposed text amendment is intended to bring the current zoning code more in line with current state statutes while still maintaining the Zoning Board of Appeals as an integral part of the process. If approved, the amendment would allow an applicant the ability to request a variation not specifically listed in Section 11-503E, by first receiving a recommendation for approval from the Zoning Board of Appeals, which would then be forwarded on to the Board of Trustees for final action. The proposed process would be very similar to the entitlement process currently being used for almost all Plan Commission cases with the exception that only recommendations for approval would be forwarded on to the Board of Trustees. The ZBA would maintain final authority should the recommendation be to deny the requested variation. The process would only be utilized for variation requests that the ZBA is not currently authorized to hear. The process for all other variation requests would remain the sole authority of the Zoning Board of Appeals.</p> <p>At the Plan Commission meeting of September 8, 2010, it was recommended, unanimously (7-0) that the text amendment to Section 11-503 (Variations), of the Hinsdale Zoning Code to give the Board of Trustees the authority to grant certain variations, be approved, <u>with the condition that the term "recommendation" be defined as a "positive vote of a minimum of four members of the Zoning Board of Appeals"</u>.</p> <p>Attached are the approved findings and recommendation from the Plan Commission and the ordinance.</p> <p>Should the recommendation be to approve the modified language further defining the term "recommendation", the following motion would be appropriate</p> <p>MOTION: Move that the Board of Trustees approve an "Ordinance Amending Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Appeals, and Variations), Section 11-503 (Variations) of the Hinsdale Zoning Code to Give the Board of Trustees the Authority to Grant Certain Variations" including the amended language.</p>				
APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION: On September 20, 2010, the Zoning and Public Safety Committee, on a 3-1 vote, moved to recommend approval of the above motion.				
BOARD ACTION:				

HINSDALE PLAN COMMISSION

RE: Case A-17-2010 - Applicant: The Village of Hinsdale – Request: Text Amendment to Section 11-503 (Variations), of the Hinsdale Zoning Code to give the Board of Trustees the authority to grant certain variations.

DATE OF PLAN COMMISSION REVIEW: September 8, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: September 20, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, The Village of Hinsdale, submitted an application to Article XI (Zoning Administration and Enforcement), Part V (Interpretations, Appeals, and Variations), Section 11-503 (Variations) of the Hinsdale Zoning Code to Give the Board of Trustees the Authority to Grant Certain Variations.
2. The Plan Commission heard testimony from residents in support of the proposed text amendment at the Plan Commission meeting of September 8, 2010.
3. The Commission recommended language to further define “recommendation” as a positive vote of a minimum of four members of the Zoning Board of Appeals.
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 13th day of Oct., 2010.

VILLAGE OF HINSDALE

**ORDINANCE NO. _____
(Revised)**

**AN ORDINANCE AMENDING ARTICLE XI (ZONING ADMINISTRATION
AND ENFORCEMENT), PART V (INTERPRETATIONS, APPEALS, AND
VARIATIONS), SECTION 11-503 (VARIATIONS) OF THE HINSDALE
ZONING CODE TO GIVE THE BOARD OF TRUSTEES
THE AUTHORITY TO GRANT CERTAIN VARIATIONS
(Plan Commission Case No. A-17-2010)**

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

WHEREAS, the Hinsdale Plan Commission conducted a public hearing to consider the Application on September 8, 2010, pursuant to notice thereof properly published in the Hinsdalean on August 19, 2010, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for Plan Commission Case No. A-17-2010; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on September 20, 2010, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

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

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

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

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

Sec. 11-503. Variations.

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

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

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

D. *Procedure.*

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

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

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

E. Authorized variations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

F. Standards For Variations:

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

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

3. *Not Self-Created:* The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the subject property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this ~~code~~ Code, for which no compensation was paid.

4. *Denied Substantial Rights:* The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

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

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

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

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

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

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

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

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

(f) Would endanger the public health or safety.

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

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

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

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

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

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

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

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

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

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

PASSED this ____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

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DATE: October 19, 2010

REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM 18 S. Blaine Street – Mary Alice and Dennis Fitzpatrick – Site Plan and Exterior Appearance Review – Fence Approval	APPROVAL

REQUEST

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

At the September 8, 2010 Plan Commission meeting the commission reviewed the application submitted by Mary Alice and Dennis Fitzpatrick and unanimously recommended approval (7-0, two absent) of the request for site plan and exterior appearance for the requested fence replacement.


Review Criteria

In review of the application submitted the Commission must review the following criteria as stated in the Zoning Code:

1. Subsection 11-604F pertaining to Standards for site plan disapproval; and
2. Subsection 11-606E pertaining to Standards for building permits (exterior appearance review), which refers to Subsection 11-605E Standards and considerations for design review permit.

Attached are the approved findings and recommendation from the Plan Commission and the ordinance.

MOTION: Move that the Board of Trustees approve an "Ordinance Approving Site Plans and Exterior Appearance Plans for Replacement of a Fence at 18 S. Blaine Street."

APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION: On September 20, 2010, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion.				
BOARD ACTION:				

HINSDALE PLAN COMMISSION

RE: 18 S. Blaine Street – Mary Alice and Dennis Fitzpatrick - Exterior Appearance and Site Plan Review

DATE OF PLAN COMMISSION REVIEW: September 8, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: September 20, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. Mary Alice and Dennis Fitzpatrick, (the "Applicant") submitted an application to the Village of Hinsdale for the property located at 18 S. Blaine Street (the "Subject Property").
2. The Subject Property is zoned in the O-1 Specialty Office District and improved with a single-family residence.
3. The applicants are seeking after-the-fact approval of exterior appearance and site plan review approval to allow a 6'-0" privacy fence to remain on the northern lot line running along Chicago Avenue.
4. The Plan Commission finds that the plan submitted by the Applicant complies with the applicable bulk, space and yard requirements of the Hinsdale Zoning Code.
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," 2 "Absent" recommends that the President and Board of Trustees of the Village of Hinsdale approve the exterior appearance/site plans at 18 S. Blaine Street.

THE HINSDALE PLAN COMMISSION

By: _____



Chairman

Dated this 13th day of Oct., 2010.

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING SITE PLANS
AND EXTERIOR APPEARANCE PLANS FOR REPLACEMENT OF A
FENCE AT 18 S. BLAINE STREET**

WHEREAS, Mary Alice and Dennis Fitzpatrick, (the "Applicants") filed an application for site plan approval and exterior appearance approval (the "Application") to authorize the replacement of a 6'-0" privacy fence, located on the property commonly known as 18 S. Blaine Street in the Village of Hinsdale (the "Subject Property"); and

WHEREAS, the Hinsdale Plan Commission conducted a public meeting to consider the Application on September 8, 2010, and, after considering all of the matters related to the Application, recommended approval of the Application; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on September 20, 2010, considered the Application and the 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 determined that the Application satisfies the standards established in Sections 11-604 and 11-606 of the Hinsdale Zoning Code governing site plans and exterior appearance plans, subject to the conditions stated 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. Approval of Site Plans and Exterior Appearance Plans. The Board of Trustees, acting pursuant to the authority vested in it by laws of the State of Illinois and Sections 11-604 and 11-606 of the Hinsdale Zoning Code, approves the site plans and exterior appearance plans attached to and, by this reference, incorporated into this Ordinance as Exhibit A (the "Approved Plans"), subject to the conditions stated in Section 3 of this Ordinance.

Section 3. Conditions. The approvals granted in Section 2 of this Ordinance are expressly subject to all of the following conditions:

- A. Compliance with Plans. All work on the Subject Property shall be undertaken in strict compliance with the Approved Plans.
- B. Compliance with Codes, Ordinances, and Regulations. Except as specifically set forth in this Ordinance, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern all development on, and improvement of, the Subject Property. All such development and improvement shall comply with all Village codes, ordinances, and regulations at all times.
- C. Building Permits. The Applicants shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.

Section 4. Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

Section 5. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance, and all ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this _____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

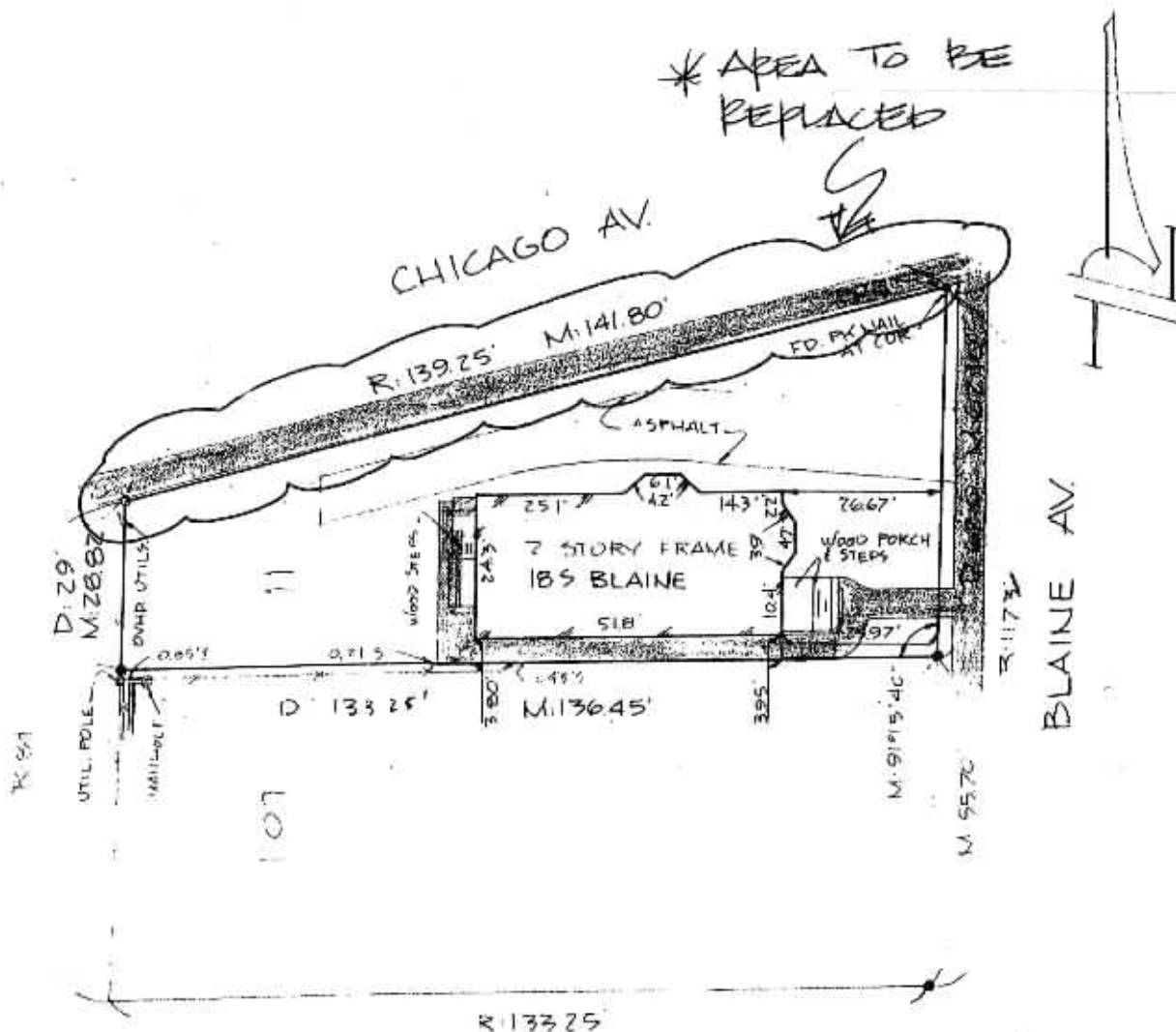
**ACKNOWLEDGEMENT AND AGREEMENT BY THE APPLICANT TO
THE CONDITIONS OF THIS ORDINANCE:**

By:
Its:

Date: _____, 2010

P L A T O F S U R V E Y

Of that part of Lot 11 in Gladstone Park, a subdivision of Block 4 in William Robbin's First Addition to Hinsdale, a subdivision in the Northeast quarter of Section 12, Township 33 North, Range 11, East of the Third Principal Meridian, described as follows: Beginning at the Northeast corner of said Lot 11 and running thence South along the West line of Blaine Avenue 62 feet; thence West parallel with the South line of said Lot 133.25 feet to the West line of said Lot; thence North along said West line 29 feet to the South line of Chicago Avenue; thence Northeasterly along South line of Chicago Avenue 139.25 feet to the place of beginning, according to the plat of said Gladstone Park recorded September 7, 1887 as Document 38039, in DuPage County, Illinois.



REVISED LEGAL 4-3-84

Legend

R = radial distance
M = measured distance
D = deer
C = cloud
● = forest map
○ = set map

Locations shown shaded

— = fence line
— = line of building

Scale 1" = 20' feet

Date of Survey MARCH 23, 1984

State of Illinois

County of Du Page

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

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

Martin O. Selig

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

SCHLAF • SEDIG
& ASSOCIATES, INC.

Lincoln, Illinois 60143
(312) 775-1761



REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM 19 E. Chicago Avenue – Village of Hinsdale – Site Plan and Exterior Appearance Review – Fence Approval	APPROVAL

REQUEST

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

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

At the September 8, 2010 Plan Commission meeting the commission reviewed the application submitted by the Village of Hinsdale and unanimously recommended approval (7-0, two absent) of the request for site plan and exterior appearance for the requested fence with the condition that the Village install four season screening of the generators within 6 months of approval.


Review Criteria

In review of the application submitted the Commission must review the following criteria as stated in the Zoning Code:

1. Subsection 11-604F pertaining to Standards for site plan disapproval; and
2. Subsection 11-606E pertaining to Standards for building permits (exterior appearance review), which refers to Subsection 11-605E Standards and considerations for design review permit.

Attached are the approved findings and recommendation from the Plan Commission and the ordinance.

MOTION: Move the Board of Trustees approve an “Ordinance Approving Site Plans and Exterior Appearance Plans for the Installation of a Fence at 19 E. Chicago Avenue”, with the condition that the Village install four season screening as funds become available.

APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION: On September 20, 2010, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion.				
BOARD ACTION:				

HINSDALE PLAN COMMISSION

RE: 19 E. Chicago Avenue – The Village of Hinsdale - Exterior Appearance and Site Plan Review

DATE OF PLAN COMMISSION REVIEW: September 8, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: September 20, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Village of Hinsdale, (the "Applicant") submitted an application for the property located at 19 E. Chicago Avenue (the "Subject Property").
2. The Subject Property is zoned in the IB, Institutional Buildings District and improved with the Village Hall and Public Library.
3. The Village is seeking approval of exterior appearance and site plan review approval to allow a 6'-0" ornamental fence to be installed around the existing generators on the south side of the building located at 19 E. Chicago Avenue.
4. The Village indicated that while the fence is permanent in material, it is temporary in nature as the intent was to construct a brick wall, to match the Memorial Building, when additional funds could be secured.
5. The Commission expressed concerns with the fence, although temporary, becoming more permanent.
6. Certain Commission members also commented on the Historic status of the Memorial Building and questioned whether it should go through the Historic Preservation Commission.
7. The Village duly noted the concern and advised the Commission that while a Certificate of Appropriateness from the Historic Preservation Commission is not required, the Village made every effort to extend the courtesy of Historic Preservation review, but due to the urgency and safety issues associated with the approval that became unfeasible.
8. The Village also provided assurances that at the point the Village requested approval for the permanent brick wall they would extend the courtesy of providing the Historic Preservation Commission the ability to make comments on the proposed wall at that time.
9. The Commission discussed various aspects of the fence and the need to secure the generators, and offered thoughts on how to provide more assurance that the fence would not become permanent and how to appropriately screen the fence.
10. The Commission concluded that the Village should provide four season screening within 6 months of final approval, to the extent required by the Village Board in order to maintain sufficient access for required maintenance of the generators.

11. The Plan Commission finds that the plan submitted by the Applicant complies with the applicable bulk, space and yard requirements of the Hinsdale Zoning Code.
12. 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.
13. The Plan Commission finds that the plan submitted by the Applicant complies with the standards set forth in Section 11-604 of the Zoning Code governing site plan review. There are no changes proposed to the site plan.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, on a vote of 7 "Ayes," 0 "Nays," 2 "Absent" recommends that the President and Board of Trustees of the Village of Hinsdale approve the exterior appearance/site plans at 19 E. Chicago Avenue with the condition that the applicant shall install four season screening within 6 months of final approval, to the extent required by the Village Board of Trustees in order to maintain sufficient access for required maintenance of the generators.

THE HINSDALE PLAN COMMISSION

By: N/A Byrnes Chairman

Dated this 13th day of Oct., 2010.

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING SITE PLANS
AND EXTERIOR APPEARANCE PLANS FOR INSTALLATION OF A
FENCE AT 19 E. CHICAGO AVENUE**

WHEREAS, The Village of Hinsdale, (the "Applicants") filed an application for site plan approval and exterior appearance approval (the "Application") to authorize the installation of a 6'-0" ornamental fence around the existing generators, located on the property commonly known as 19 E. Chicago Avenue in the Village of Hinsdale (the "Subject Property"); and

WHEREAS, the Hinsdale Plan Commission conducted a public meeting to consider the Application on September 8, 2010, and, after considering all of the matters related to the Application, recommended approval of the Application; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on September 20, 2010, considered the Application and the 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 determined that the Application satisfies the standards established in Sections 11-604 and 11-606 of the Hinsdale Zoning Code governing site plans and exterior appearance plans, subject to the conditions stated 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. Approval of Site Plans and Exterior Appearance Plans. The Board of Trustees, acting pursuant to the authority vested in it by laws of the State of Illinois and Sections 11-604 and 11-606 of the Hinsdale Zoning Code, approves the site plans and exterior appearance plans attached to and, by this reference, incorporated into this Ordinance as Exhibit A (the "Approved Plans"), subject to the conditions stated in Section 3 of this Ordinance.

Section 3. Conditions. The approvals granted in Section 2 of this Ordinance are expressly subject to all of the following conditions:

- A. Compliance with Plans. All work on the Subject Property shall be undertaken in strict compliance with the Approved Plans.
- B. Compliance with Codes, Ordinances, and Regulations. Except as specifically set forth in this Ordinance, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern all development on, and improvement of, the Subject Property. All such development and improvement shall comply with all Village codes, ordinances, and regulations at all times.
- C. Building Permits. The Applicants shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.
- D. Screening. The Village shall install four season screening as funds become available.

Section 4. Violation of Condition or Code. Any violation of any term or condition stated in this Ordinance or of any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

Section 5. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance, and all ordinances, resolutions or orders, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this _____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

**ACKNOWLEDGEMENT AND AGREEMENT BY THE APPLICANT TO
THE CONDITIONS OF THIS ORDINANCE:**

By:

Its:

Date: _____, 2010

EXHIBIT "A"




REQUEST FOR BOARD ACTION

AGENDA SECTION NUMBER	ORIGINATING DEPARTMENT Community Development
ITEM Case A-13-2010 - Applicant: John Weinberger/Continental Motors - Location: 420 E. Ogden Avenue: Special Use Permit to allow a Planned Development and Site Plan/Exterior Appearance Approval for facade improvements to the existing car dealership.	APPROVAL
<p>The applicant, Continental Motors is requesting a Special Use Permit to allow a Planned Development and Site Plan/Exterior Appearance Approval for exterior work to the façade of the existing car dealership at 420 E. Ogden Avenue. In 2007, Continental Motors came before the Village Board to request various approvals, which included text amendments to allow a Planned Development providing for the expansion of the existing car dealership along Ogden Avenue, as well as the actual Special Use for the Planned Development and Site Plan/Exterior Appearance approval for the expansion of the existing car dealership. On August 27th, 2007 the ZPS forwarded this request on to the Village Board meeting of September 4th with a favorable and unanimous vote where it was then approved unanimously by the Village Board as Ordinance #O2007-62. Recent structural issues prompted the applicant to apply for permits to make these repairs and use this opportunity to request a Major Adjustment to the Planned Development and propose the façade changes to the Village Board. It was at this time that staff identified an error made during the initial approval process in 2007. While the text amendment allowing the dealership to request the Planned Development was approved, the latter requests which included the Special Use for the Planned Development and Exterior Appearance/Site Plan Review, were erroneously dropped from the request during the process, and subsequently never approved. While two motions and two approving ordinances should have been executed (one for the text amendment and one for the remaining approvals), only the ordinance regarding the text amendment was ever adopted leaving all remaining requests unapproved. The applicant has agreed to come back and obtain the approvals for the processes which they assumed had already been in place, however due to the severity and risks involved with the existing damage they requested that the Board discuss and consider the possibility of allowing them to move ahead with repairs, including the minor modification to the façade (illustrated in the attached documents) while they come back through to redo the processes that were inadvertently not included as part of the approval in 2007.</p> <p>At the September 8th, 2010 Plan Commission meeting the commission reviewed the application submitted by Continental Motors and recommended approval, on a 7-0 vote (2 absent), the approval of the request for a Special Use Permit for a Planned Development, which included waivers for the following:</p> <ul style="list-style-type: none"> • Reduction in the number of required parking spaces from 100 spaces to 40 spaces; • Reduction in the number of required loading spaces from 1 space to 0 spaces; • Reduction of the front yard setback from 100 feet to 91.07 feet; • Reduction of the (east) side yard setback from 10 feet to 0 feet; • Allow a total lot coverage of 100% in lieu of the required 90%; <p>as well as Site Plan/Exterior Appearance Approval for façade improvements to the existing car dealership.</p> <p><u>Review Criteria</u></p> <p>In review of the application submitted the Commission must review the following criteria as stated in the Zoning Code:</p> <ol style="list-style-type: none"> 1. Subsection 11-602E pertaining to Standards for special use permits; 2. Subsection 11-603E pertaining to Standards for planned developments; 3. Subsection 11-604F pertaining to Standards for site plan disapproval; and 	

4. Subsection 11-606E pertaining to Standards for building permits (exterior appearance review), which refers to Subsection 11-605E Standards and considerations for design review permit.

Attached are the approved findings and recommendations from the Plan Commission and the ordinance.

MOTION: Move that the Board of Trustees approve an “Ordinance Approving a Special Use Permit for a Planned Development, and Site Plans and Exterior Appearance Plans for Façade Changes to the Commercial Building Located at 420 E. Ogden Avenue.”

APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION: On September 20, 2010, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion.				
BOARD ACTION:				

HINSDALE PLAN COMMISSION

RE: Case A-13-2010 - Applicant: John Weinberger/Continental Motors - Location: 420 E. Ogden Avenue: Special Use Permit to allow a Planned Development and Site Plan/Exterior Appearance Approval for facade improvements to the existing car dealership.

DATE OF PLAN COMMISSION REVIEW: September 8, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: September 20, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. John Weinberger of Continental Motors, submitted an application to the Village of Hinsdale for a special use permit for a planned development for the existing car dealership, as well as Exterior Appearance and Site Plan Review for exterior façade modifications to the property located at 420 E. Ogden Avenue (the "Application").
2. The property is located within the B-3, General Business District and improved with a 1-story, car dealership, commonly known as Continental Motors.
3. The applicant is proposing façade improvements to the existing car dealership as a result of recent structural problems that need to be repaired.
4. The Plan Commission heard a presentation from the applicant regarding the proposed façade improvements and planned development.
5. The Plan Commission then heard a brief explanation from staff, summarizing the current planned development request and how both the applicant and staff came to understand how portions of the original approvals were inadvertently eliminated in 2007 resulting in the applicant's current situation.
6. The Plan Commission specifically finds that the Application, as a whole, satisfies the standards in Section 11-602 of the Zoning Code applicable to approval of a special use permit, Section 11-603 pertaining to Planned Developments, 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 7 "Ayes," 0 "Nay," and 2 "Absent" recommends that the President and Board of Trustees approve the Application

for a Special Use Permit for a Planned Development at 420 E. Ogden, including the requested waivers.

The Village of Hinsdale Plan Commission, by a vote of 7 "Ayes," 0 "Nay," and 2 "Absent" recommends that the President and Board of Trustees approve the Application for Exterior Appearance/Site Plan Review approval of exterior façade modifications to the property located at 420 E. Ogden.

THE HINSDALE PLAN COMMISSION



Chairman

By:

Dated this 13th day of Oct., 2010.

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A PLANNED
DEVELOPMENT AND SITE PLANS AND EXTERIOR APPEARANCE
PLANS FOR FAÇADE CHANGES FOR THE COMMERCIAL BUILDING
LOCATED AT 420 EAST OGDEN AVENUE
(Plan Commission Case No. A-13-2010)**

WHEREAS, John Weinberger/Continental Motorports (the "Applicant") is the legal title owner of the property located at 420 East Ogden Avenue, Hinsdale, Illinois (the "Subject Property"), which Subject Property is legally described in Exhibit A, attached and incorporated herein by reference; and

WHEREAS, the Applicant has applied for a planned development, which is required to be processed as a special use in the B-3 General Business District, for the expansion of an existing car dealership at the Subject Property and the construction of improvements to the façade at the Subject Property; and

WHEREAS, the Hinsdale Plan Commission conducted a public hearing and deliberated on the Application on September 8, 2010, pursuant to notice thereof properly published in the Hinsdalean on August 19, 2010, and, after considering all of the testimony and evidence presented at the public hearing, the Plan Commission recommended approval of the Application subject to numerous conditions and recommendations, all as set forth in the Plan Commission's Findings and Recommendations for Plan Commission Case Number A-13-2010; and

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on September 20, 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 reviewed the recommendation of the Zoning and Public Safety Committee, the Findings and Recommendation of the Plan Commission, and all of the materials, facts, and circumstances related to the Application, and they find that the Application satisfies the standards set forth in the Hinsdale Zoning Code relating to the requested approvals, but only subject to the conditions set forth 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 by this reference as findings of the President and Board of Trustees.

Section 2. Approval of a Special Use Permit for a Planned Development. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Sections 11-602 and 11-603 of the Hinsdale Zoning Code, approves a special use permit authorizing a Planned Development for the Subject Property for the expansion of an existing car dealership and the construction of improvements to the façade pursuant to the plans prepared by Styczynski, Walker and Associates, in the form attached hereto, and by this reference incorporated herein, as Exhibit B (the "Approved Detailed Plans"). The approval granted in this Section 2 is subject to the conditions set forth in Section 6 of this Ordinance.

Section 3. Modifications of Certain Zoning Code Regulations for the Property Located at 420 East Ogden Avenue. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Subsection 11-603H of the Hinsdale Zoning Code, modifies the following provisions of the Hinsdale Zoning Code for the property located at 420 East Ogden Avenue as part of the Planned Development, subject to the conditions set forth in Section 6 of this Ordinance:

- A. The number of parking spaces shall be 40 spaces rather than the required 100 spaces;
- B. There shall be no loading spaces rather than the required one (1) loading space;
- C. The front yard setback shall be 91.07 feet rather than the required 100 feet;
- D. There shall be no side yard (east) setback rather than the required 10 feet; and
- E. The total lot coverage shall be 100% rather than the required 90%.

Section 4. Approval of Site Plan. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and by Section 11-604 of the Hinsdale Zoning Code, hereby approves the site plan for the proposed development in the form attached hereto, and by this reference incorporated herein, as Exhibit C (the "Approved Site Plan"), subject to the conditions set forth in Section 6 of this Ordinance.

Section 5. Approval of Exterior Appearance Plans. The Board of Trustees, acting pursuant to the authority vested in it by the laws of the State of Illinois and

by Section 11-606 of the Hinsdale Zoning Code, hereby approves the exterior appearance plans for the planned development in the form attached hereto, and by this reference incorporated herein, as Exhibit B (the "Approved Exterior Appearance Plans"), subject to the conditions stated in Section 6 of this Ordinance.

Section 6. Conditions on Approvals. The approvals granted in Sections 2 through 5 of this Ordinance are granted expressly subject to all of the following conditions:

- A. No Authorization of Work. This Ordinance does not authorize the commencement of any work on the Subject Property. Except as otherwise specifically provided in writing in advance by the Village, no work of any kind shall be commenced on the Subject Property until all conditions of this Ordinance precedent to such work have been fulfilled and after all permits, approvals, and other authorizations for such work have been properly applied for, paid for, and granted in accordance with applicable law.
- B. Compliance with Approved Plans. All development within the Subject Property shall be undertaken only in strict compliance with the Village-approved plans, including without limitation, the Approved Detailed Plans, the Approved Exterior Appearance Plans, the approved Site Plan and other Village-approved plans.
- C. Compliance with Codes, Ordinances, and Regulations. Except as specifically set forth in this Ordinance, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern the development of the Subject Property. All such development shall comply with all Village codes, ordinances, and regulations at all times.
- D. Building Permits. The Applicant shall submit all required building permit applications and other materials in a timely manner to the appropriate parties, which materials shall be prepared in compliance with all applicable Village codes and ordinances.

Section 7. Violation of Condition or Code. Any violation of (i) any term or condition stated in this Ordinance or (ii) any applicable code, ordinance, or regulation of the Village shall be grounds for the immediate rescission by the Board of Trustees of the approvals made in this Ordinance.

Section 8. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance, and all ordinances, resolutions or orders, or

parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

Section 9. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

**ACKNOWLEDGEMENT AND AGREEMENT BY THE APPLICANT TO THE
CONDITIONS OF THIS ORDINANCE:**

By:

Its:

Date: _____, 2010

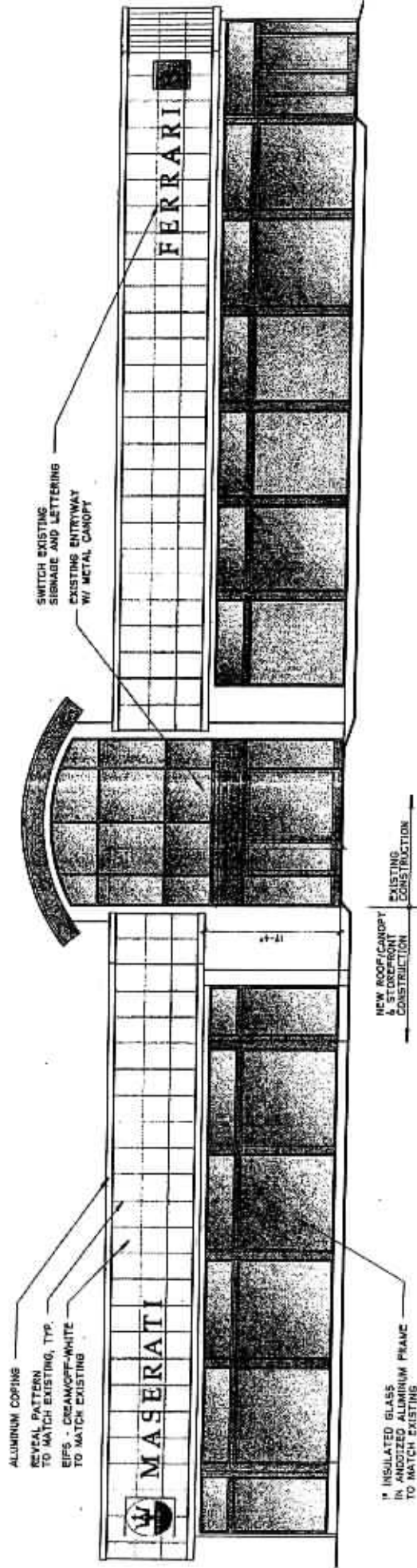
EXHIBIT A

LEGAL DESCRIPTION

LOT 1 IN CONTINENTAL AUTOSPORTS, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Continental AutoSports

420 E. Ogden Avenue, Hinsdale, Illinois



NORTH ELEVATION

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

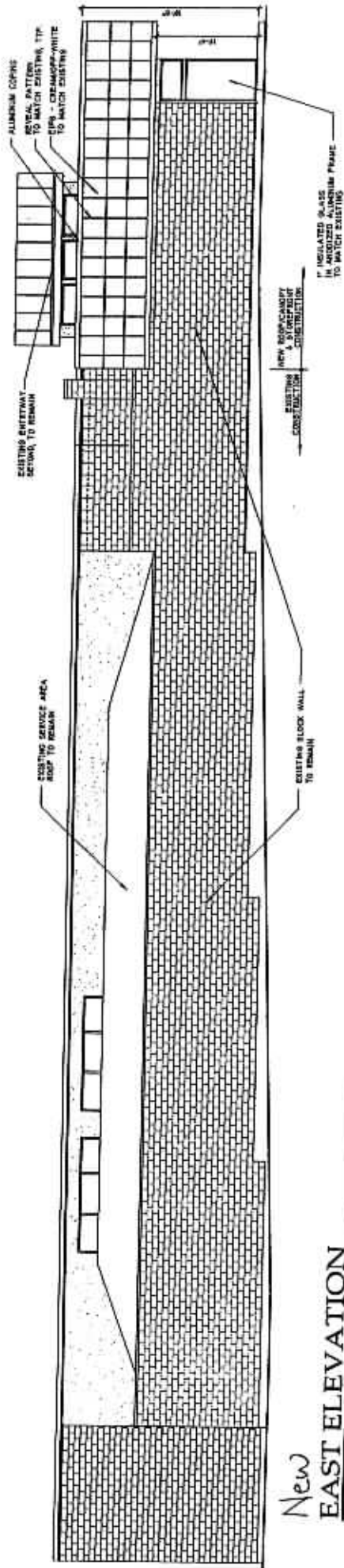


STYCZYNSKI WALKER & ASSOCIATES

architects

#0, Box 123 • Westmont, North 60556 • 630 769 2413

EXHIBIT "B"



New
EAST ELEVATION

SCALE: 3/32" = 1'-0"

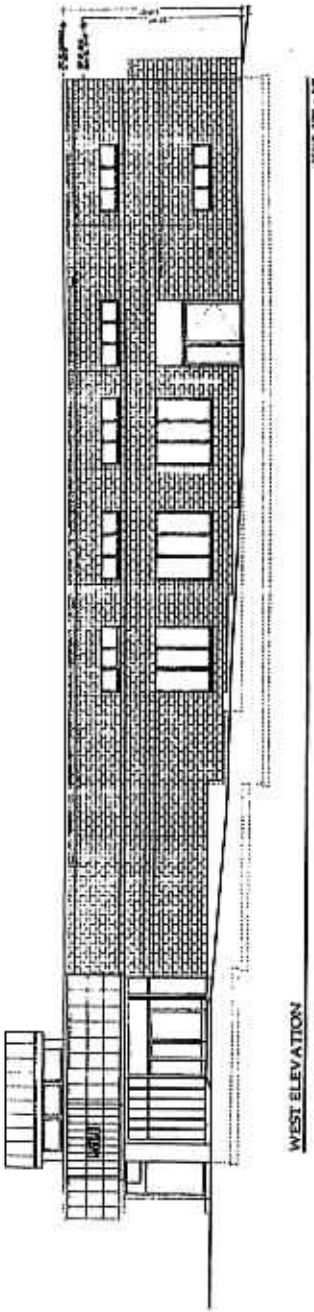
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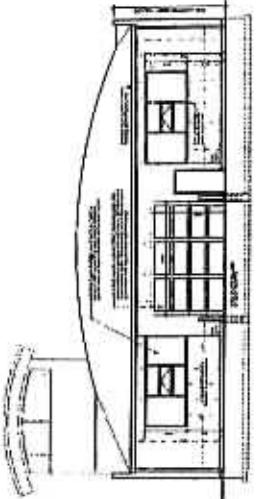
Styczynski Walker & Associates
F.O.B. 204 1233
Westmont, Illinois
63078-2113
FAX 630724-0963
www.stwarchitects.com
40200
art@stw.com

Continental AutoSports Showroom/Roof Renovation
420 E. Ogden Avenue, Bensenville, Illinois
LaMarita Construction Co., Inc.
9100 W. Ogden Avenue, Bensenville, Illinois
PH: 708.433.9000
FAX: 708.433.9000



WEST ELEVATION

SCALE 1/8" = 1'-0"



SOUTH ELEVATION

SCALE 1/8" = 1'-0"

GENERAL NOTES



NOTES: EXISTING FOUNDATION AND STRUCTURE ARE ASSUMED TO BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
"DEVE" SHALL BE AN INDEPENDENT BALANCED CONTRACTOR.
"DEVE" SHALL BE RESPONSIBLE TO REMOVE ANY OTHER EXISTING FOUNDATION AND DISPOSE OF LEGALLY.
CONTRACTOR TO REMOVE AND REPLACE ANY OTHER EXISTING FOUNDATION.
CONTRACTOR TO REMOVE AND REPLACE ANY EXISTING REMAINS.
REINFORCEMENT: REINFORCE EXISTING FOUNDATION. IT SHALL BE REINFORCED ACCORDING TO SPECIFICATIONS.
ALL CONTRACTORS SHALL BE PLACED UNDER PERMIT.
CONTRACTOR TO OBTAIN THE PERMIT ON BEHALF OF THE PROPERTY.
CONTRACTOR TO OBTAIN PERMIT FOR FOUNDATION EXCAVATION.
CONTRACTOR TO OBTAIN PERMIT FOR PROPERTY.

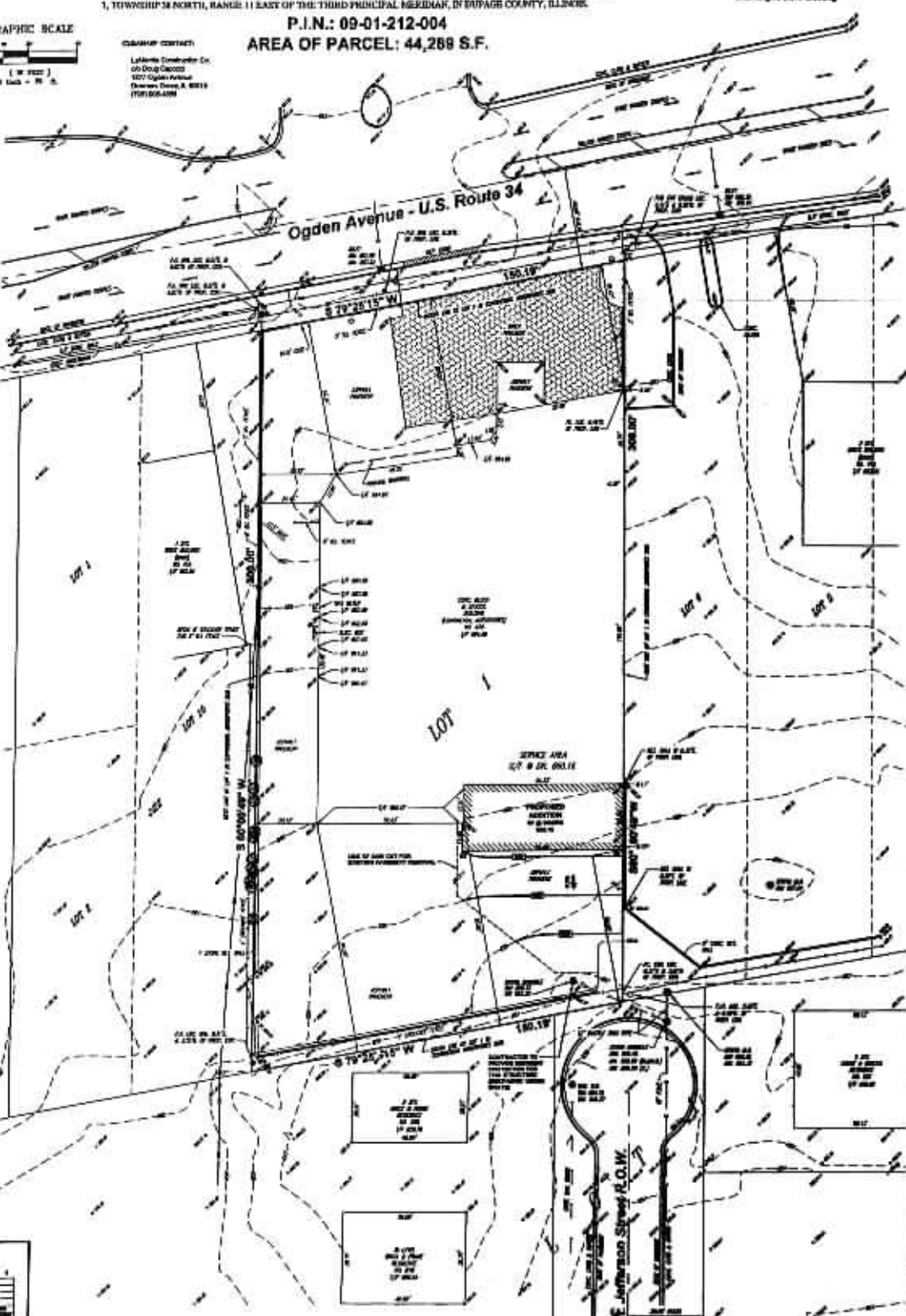
[illegible][illegible]

LAT 1 IN CONTINENTAL AUTOMOBILES, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

CLASHUP CONTACT:
Lafayette Construction Co.
c/o Doug Casper
1077 Ogden Avenue
Downers Grove, IL 60515

GRAPHIC SCALE

 (10 FEET)
 1 inch = 10 ft.



PROFESSIONAL SOCIETY'S MAIL

STATE OF ALABAMA SS
COUNTY OF DAVENPORT

JOHNED BRYANTON and UNIVERSAL, P.C., a ALABAMA PROFESSIONAL
SOCIETY, HEREBY CERTIFY THAT THE TECHNICAL INFORMATION WAS
PREPARED IN ACCORDANCE WITH THE TECHNICAL INFORMATION ACT, AND THAT
TECHNICAL INFORMATION IS INTENDED TO BE USED AS AN INTERNAL TOOL
OF AND IN CONNECTION WITH THE PROJECT REGULATION AND CONTROL
SOCIETY.

SIGNED THIS _____ DAY OF _____, A.D. 20__

JOHNED BRYANTON
ALABAMA LICENSE PROFESSIONAL SOCIETY NO. 000-00001
JOHNED BRYANTON and UNIVERSAL, P.C.

THIS INSTRUMENT IS NOT VALID UNLESS THE SIGNATURE LINE IS SIGNED.

CHANGING THE SIGNATURE OF THIS POLICE OFFICER SHALL CONSTITUTE THE COUNTERFEITING OF THIS POLICE OFFICER'S POLICE IDENTIFICATION CARD, AND IS A FELONY SUBJECT TO PERSECUTION.

OFFICE OF THE ATTORNEY GENERAL

STATE OF TEXAS

COUNTY OF _____, TEXAS

THE FOLLOWING SIGNATURE IS SIGNATURE OF THE POLICE OFFICER IDENTIFICATION CARD OF A POLICE OFFICER OF THE POLICE DEPARTMENT OF THE CITY OF _____, TEXAS, AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. ANY OTHER USE OF THIS SIGNATURE SHALL BE A VIOLATION OF THE POLICE DEPARTMENT'S POLICE IDENTIFICATION CARD POLICY, AND IS A FELONY SUBJECT TO PERSECUTION.

SIGNED _____, NOT OF _____, A.B. _____

SIGNED PROFESSIONAL LAW WRITER IN TEXAS

Genesis Surveying and Engineering, PC
PROFESSIONAL DESIGN FIRM NO. 184-03222
8075 BUTTERFIELD ROAD, SUITE 100
MAGNOLIA, ALBERTA T0M 0M0
416-838-8800 FAX 416-838-0322

**SITE PLAN, BOUNDARY
AND TOPOGRAPHIC SURVEY
CONTINENTAL AUTOSPORTS
HINSDALE, IL. 60521**

PLANS PREPARED FOR:
LaMANTIA CONSTRUCTION CO.
1227 OGDEN AVENUE
DOWNTOWN CROVE, D. 08115

BOM METR. I.S.	DRAWING BY: D.S.	DATE: 03-03-09	REVIZIOMAS:			
			#	DATE	BY	DESCRIPTION
			1	01-10-08	D.S.	REVISADO POR LAYOUTO ARCHITECTURAL PLANE

ORDERED JOB NO.
08-062
SHEET 1 OF 1

AGENDA SECTION	ACA	ORIGINATING DEPARTMENT	Finance
ITEM	Accounts Payable	Darrell Langlois APPROVED Assistant Village Manager/Director of Finance	
<p>At the meeting of October 19, 2010 staff respectfully requests the presentation of the following motion to approve the accounts payable:</p> <p>Motion: To move approval and payment of the accounts payable for the period of October 02, 2010 through October 15, 2010 in the aggregate amount of \$1,153,154.62 as set forth on the list provided by the Village Treasurer, of which a permanent copy is on file with the Village Clerk.</p>			
STAFF APPROVALS			
APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION:			
BOARD ACTION:			

VILLAGE OF HINSDALE

ACCOUNTS PAYABLE WARRANT REGISTER #1489

FOR PERIOD October 02, 2010 through October 15, 2010

The attached Warrant Summary by Fund and Warrant Register listing **TOTAL DISBURSEMENTS FOR ALL FUNDS of \$1,153,154.62** has been reviewed and approved by the below named officials.

APPROVED BY _____ **DATE** _____
ASSISTANT VILLAGE MANAGER/DIRECTOR OF FINANCE

APPROVED BY _____ **DATE** _____
VILLAGE MANAGER

APPROVED BY _____ **DATE** _____
VILLAGE TREASURER

APPROVED BY _____ **DATE** _____
VILLAGE TRUSTEE

**Village of Hinsdale
Warrant # 1489
Summary By Fund**

Recap By Fund	Fund	Regular Checks	Pension Checks	ACH/Wire Transfers	Total
Corporate Fund	10000	132,833.24	-	-	132,833.24
Motor Fuel Tax Fund	23000	9,396.87	-	-	9,396.87
Water & Sewer Operations	61061	651,453.75	-	-	651,453.75
Water & Sewer Capital	61062	13,591.25	-	-	13,591.25
Police Pension Fund	71100	-	60,187.64	-	60,187.64
Firefighter's Pension Fund	71200	-	65,828.25	-	65,828.25
Escrow Funds	72100	31,087.17	-	-	31,087.17
Payroll Revolving Fund	79000	9,791.80	-	178,984.65	188,776.45
Total		848,154.08	126,015.89	178,984.65	1,153,154.62

Village of Hinsdale
Schedule of Bank Wire Transfers and ACH Payments
Warrant Register # 1488

Payee/ Date	Description	Vendor Invoice	Invoice Amount
Illinois Municipal Retirement Fund 10/8/2010	Employee/Employer Contributions	September 2010 Wages	78,012.30
Electronic Federal Tax Payment Systems 10/15/2010	Village Payroll # 21-Calendar 2010	FWII	39,653.01
Electronic Federal Tax Payment Systems 10/15/2010	Village Payroll # 21-Calendar 2010	FICA/MCARE	31,657.88
Illinois Department of Revenue 10/15/2010	Village Payroll # 21-Calendar 2010	State Tax Withholding	9,464.70
DuPage Credit Union 10/15/2010	Village Payroll # 21-Calendar 2010	Employee Withholding	5,260.19
ICMA - 457 Plans 10/15/2010	Village Payroll # 21-Calendar 2010	Employee Withholding	13,326.16
HSA Plan Contribution 10/15/2010	Village Payroll # 21-Calendar 2010	Employee Withholding	<u>1,610.41</u>
Total Bank Wire Transfers and ACH Payments			<u>178,984.65</u>
Total Regular Checks, Pension Checks and Wire Transfers/ACH Payments			<u><u>1,153,154.62</u></u>

PAYEE	INVOICE	CHECK
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
SICILIANO, DANIEL A.		
54254 P/R CHECK	55979	559.79
	CHECK NO. 84121	559.79
A FAMILY SEWER SERVICE		
54306 CONT BD/620 S MONROE	19207	500.00
	CHECK NO. 84122	500.00
ADVERTISER HINSDALE HOSPITAL		
54298 PARKING PERMITS REFUND	1800-09/10	1800.00
	CHECK NO. 84123	1800.00
AIRROOM ARCHITECTS		
54406 CONT BD/636 N LINCOLN	16213	2518.17
	CHECK NO. 84124	2518.17
ALL STAR AUTO GLASS		
54262 WINDSHIELD REPAIR	WOB61589	379.00
	CHECK NO. 84125	379.00
AMERICAN MESSENGING		
54340 PAGES	J1153710KJ	290.35
	CHECK NO. 84126	290.35
ANDRES MEDICAL BILLING LT		
54365 SEPT AMB BILLING	27106	1976.08
	CHECK NO. 84127	1976.08
AQUA PURE ENTERPRISES		
54356 POOL ROBOT	69351	619.04
	CHECK NO. 84128	619.04
BANASZAK, LARRY		
54396 KLM REFUND	EN100925/18636	390.00
	CHECK NO. 84129	390.00
BATTERIES PLUS		
54327 BATTERY	288202291	22.49
	CHECK NO. 84130	22.49
BONO CSR KATHLEEN W.		
54322 A-9-10	5188	71.49
54323 A-13-10	5188-1	210.48
54324 A-17-10	5188-2	106.03
	CHECK NO. 84131	586.00
BRADLEY, HARRY		

PAYEE	VENDOR INVOICE	INVOICE	CHECK
YOU, DESCRIPTION		AMOUNT	AMOUNT
BRADLEY, HARRY			
54404 KIM REFUND	EN100904/19183	500.00	
	CHECK NO. 84112		500.00
BRONZE MEMORIAL COMPANY			
54260 PLAQUE	525036	395.00	
	CHECK NO. 84133		395.00
BURKER, DAVID C			
54374 CONT 30/601 S BURKER	18960	500.00	
	CHECK NO. 84134		500.00
CARRCT-TOF INDUSTRIES, IN			
54294 FLAGS	CI1041907	235.07	
	CHECK NO. 84135		235.07
CASE LOTS INC			
54278 KIM LODGE	026672	366.70	
	CHECK NO. 84136		366.70
CDW GOVERNMENT INC.			
54439 LAPTOP	VDC5514	3713.99	
54440 LBR	VCK7755	328.96	
	CHECK NO. 84137		4048.95
CENTRAL BLACKTOP CO INC.			
54390 2010 RESURFACING	87100096	220812.75	
54391 2010 RESURFACING	87100096-2010	430641.00	
	CHECK NO. 84138		651453.75
CHARIOT AUTOMOTIVE			
54367 TOWING FEES	50179	160.00	
	CHECK NO. 84139		160.00
CHICAGO CHAIN & TRANSMISS			
54308 BBARINGS	196729	89.93	
	CHECK NO. 84140		89.93
CHICAGO INTERNATIONAL			
54261 OIL PAN/GASKET	101082553	569.29	
54263 AUTO PARTS	101082532	921.00	
	CHECK NO. 84141		1490.29
CINTAS			
54280 RUGS TOWELS ETC	769491693	242.81	
54420 RUGS TOWELS ETC	769495066	161.31	
	CHECK NO. 84142		404.12

PAYEE	INVOICE	CHECK	
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT	AMOUNT
CLARENDON HILLS PARK DIST			
54356 COOP PROGRAMS	212075	192.00	
	CHECK NO. 84143		192.00
CLASSIC LANDSCAPE LTD			
54359 MOWING	53026	13735.00	
	CHECK NO. 84144		13735.00
COMCAST			
54339 POOL	0037136-10/10	125.00	
54441 WD/PW	0036815-10/10	99.95	
54442 KLM	0036807-10/10	95.00	
54443 PD/PD	006781-10/10	160.00	
54444 VILLAGE HALL	006757-10/10	160.00	
	CHECK NO. 84145		639.95
CONED			
54328 WATER TOWER	0015093052-09/10	138.39	
54329 WASHINGTON PI LOT	2838114006-09/10	43.50	
54110 SALT CREEK	1917116003-09/10	26.43	
54331 SPINNING WHEEL	1131101044-09/10	415.19	
54332 WELL	0075151076-09/10	227.89	
54333 314 SYMONDS	0417073048-09/10	137.73	
54334 314 SYMONDS	1653146069-09/10	37.79	
54335 VESCK PARK	3454039030-09/10	252.54	
	CHECK NO. 84146		1277.46
COMMERCIAL COFFEE SERVICE			
54288 COFFEE SUPPLIES	103403	98.00	
54435 COFFEE SUPPLIES	103653	63.00	
	CHECK NO. 84147		161.00
COMPTROLLER OF CURRENCY			
54395 KLM REFUND	BN100902/19199	250.00	
	CHECK NO. 84148		250.00
CONTINENTAL AUTO SPORT			
54296 TEXT AMENDMENT	A-9-07	2285.55	
	CHECK NO. 84149		2285.55
CORPORATION MCDONALDS			
54424 REISSUE CK#81350	19067	445.00	
	CHECK NO. 84150		445.00
COURTNEYS SAFETY LANE			
54318 SAFETY INSPECTIONS	4109464	47.50	
	CHECK NO. 84151		47.50

PAYEE	VEHICLE INVOICE	INVOICE	CHECK
VOU. DESCRIPTION		AMOUNT	AMOUNT
DANIEL, ROSEMARY			
54384 CONT BD/804/808 N OAK	15516	500.00	
	CHECK NO. 84152		500.00
DANMAR			
54286 CLEANING VILLAGE HALL	4214-09/10	4214.00	
	CHECK NO. 84153		4214.00
DARLING/TORVAC			
54346 REGULAR SERVICE	119821/02/03	409.00	
	CHECK NO. 84154		409.00
DATA MEDICS			
54343 COMPUTER REPAIR	17522	260.00	
	CHECK NO. 84155		260.00
DIG RIGHT IN LANDSCAPING			
54383 CONT BD/427 BOONIE BEAR	19520	500.00	
	CHECK NO. 84156		500.00
DIRECT ADVANTAGE INC			
54416 MARKETING SERVICES	4046	2075.00	
	CHECK NO. 84157		2075.00
DOWNES SWIMMING POOL			
54407 CONT BD/222 E 8TH	16893	1780.00	
	CHECK NO. 84158		1780.00
DRUMMOND, JOHN			
54397 KLM REFUND	EN100926/19449	250.00	
	CHECK NO. 84159		250.00
EAGLE UNIFORMS INC			
54265 UNIFORMS	203742	173.69	
	CHECK NO. 84160		173.69
EMERGENCY MEDICAL PROD			
54267 MEDICAL SUPPLIES	1310217	292.88	
	CHECK NO. 84161		292.88
EXCELL FASTENER SOLUTIONS			
54306 SNAP PINS	1365	33.25	
	CHECK NO. 84162		33.25
EXELON ENERGY INC			
54393 STREET LIGHTS	200239600030	580.26	
54394 VILLAGE HALL	100421800120	2370.07	

PAYEE	VENDOR INVOICE	INVOICE	CHECK
VOU. DESCRIPTION		AMOUNT	AMOUNT
EXRLCN FNGERY INC	CHECK NO. 84163		2950.33
PAST SIGNS	6541725	412.50	
54268 SCHOOL SIGNAGE	CHECK NO. 84164		412.50
FIRE SAFETY CONSULTANTS	2010 400AF/917	535.00	
54430 PLAN REVIEW	CHECK NO. 84165		535.00
PIRSTONE STORES	080553	388.76	
54433 TIRES	080547	212.50	
54448 2 NEW TIRES	CHECK NO. 84166		601.26
FRANCIE HOMES LLC	17612	1452.00	
54387 STM WTR/114 S GRANT	CHECK NO. 84167		1452.00
FULLERS HOME & HARDWARE	107970/108098	275.37	
54272 ASST HARDWARE	CHECK NO. 84168		275.37
FULLERS SERVICE CENTER IN	687325/688578	770.81	
54352 CAR WASHES/REPAIRS	CHECK NO. 84169		770.81
G & K SERVICES	1028481211	246.36	
54371 UNIFORMS	1028482936	262.01	
54291 UNIFORMS	CHECK NO. 84170		508.37
GARBER CONSTRUCTION	18468	1837.00	
54388 STM WTR/610 N WASHINGTON	CHECK NO. 84171		1837.00
GIUSFRIDI, KIM	94379	119.00	
54445 CLASS REFUND	CHECK NO. 84172		119.00
HANSON AGGREGATES INC	5187273	769.90	
54275 STONE	CHECK NO. 84173		769.90
HASSETT, GINA	58907	40.75	
54293 POSTER FALL FEST			

PAYER	INVOICE	CHECK
VOL. DESCRIPTION	VENDOR INVOICE	AMOUNT
HASSETT, GINA	CHECK NO. 84174	40.75
HD SUPPLY WATERWORKS	2028175	1098.00
54355 METERS	CHECK NO. 84175	1098.00
HERITAGE CRYSTAL CLEAN	11552475	549.17
54263 CLEANING SOLVENT	CHECK NO. 84176	549.17
HIGHWAY TECHNOLOGIES, INC	391154-001	778.92
54418 SIGNS	CHECK NO. 84177	778.92
HINGDALE BANK TRUST	EN100914/19441	250.00
54401 KIM REFUND	CHECK NO. 84178	250.00
EDMER TREE SERVICE	14428	1647.00
54275 TREE REMOVAL	CHECK NO. 84179	1647.00
HUFF & HUFF INC	1009065	40.75
54326 CONSULTANT	CHECK NO. 84180	40.75
IRLP	20100424	33.00
54312 POLICE POSTERS	CHECK NO. 84181	33.00
IBM	0010527	645.00
54417 QTRLY SERVER FEES	CHECK NO. 84182	645.00
ICE MOUNTAIN WATER	0010120706023	32.22
54434 WATER	CHECK NO. 84183	32.22
IL DEPARTMENT OF PUBLIC	58163	50.00
54449 RENEWAL	CHECK NO. 84184	50.00
ILCO, INC.	2261896	63.31
54307 PIPE FITTINGS	CHECK NO. 84185	63.31

PAYEE	INVOICE	CHECK
YOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
ILLINOIS FIRE INSPECTORS		
54446 CLASS	11925	95.00
	CHECK NO. 84186	95.00
ILLINOIS SHOTOKAN KARATE		
54360 INSTRUCTION *RELEVE EXP*	742	3045.40
	CHECK NO. 84187	3046.40
IMAGE TREND INC		
54264 SOFTWARE UPDATE	015209	400.00
	CHECK NO. 84188	400.00
INDUSTRIAL ELECTRIC		
54257 ELECTRIC SUPPLIES	189376/545	233.50
54437 LAMPS	189388	217.50
	CHECK NO. 84189	451.00
INTERNATIONAL EXTERMINATO		
54419 EXT FEES	101561213	206.00
	CHECK NO. 84190	206.00
J AND Z HIGHLANDERS CONST		
54422 REISSUE CK#80516	15988	10000.00
	CHECK NO. 84191	10000.00
J AND Z HIGHLANDERS CONST		
54423 REISSUE CK#80616	3000.	3000.00
	CHECK NO. 84192	3000.00
JAMES J BENES & ASSOC INC		
54357 PLAN REVIEWS	1209124	7450.63
	CHECK NO. 84193	7450.63
JOHN DEERE LANDSCAPES		
54354 SPRINKLER REPAIRS	56004270/4350	167.99
	CHECK NO. 84194	167.99
JOHNSON, BRUCE		
54405 KIM REFUND	EN100917/18749	500.00
	CHECK NO. 84195	500.00
JOHNSTON, GARY		
54347 PERMIT FEES	18000-09/10	180.00
	CHECK NO. 84196	180.00
JOMAR TELEROUTING, INC.		
54431 STORM LINE	10202	1987.50

PAYEE	VOU.	DESCRIPTION	VENDOR INVOICE	CHECK NO.	INVOICE AMOUNT	CHECK AMOUNT
JOMAR TRILBGROUTING, INC.				CHECK NO.	64197	1987.50
KARSR & BLAIR INC	54362	TEMP TATTOOS	922740/736		237.50	
			CHECK NO.	64198		237.50
KORZYNIWASKI, NANCY	54400	KLM RESPOND	5NICE918/10728		500.00	
			CHECK NO.	84199		500.00
KROPSCHILL ENGINEERING CO	54263	HVAC SERVICES	37853		1584.00	
54290	BOILERS	37890			4274.00	
		CHECK NO.	84200			5808.00
KUSTOM SIGNALS, INC.	54429	MISC PARTS	409649		11.55	
		CHECK NO.	84201			11.99
LACRIFFE, GIA	54385	CONT BD/217 E 6TH ST	19307		4000.00	
		CHECK NO.	84202			4000.00
LEADS CONSTRUCTION	54378	CONT BD/1133 INDIAN TRAIL	19595		500.00	
		CHECK NO.	84203			500.00
LEADS CONSTRUCTION	54379	CONT BD/1133 INDIAN TRAIL	19591		500.00	
		CHECK NO.	84204			500.00
LEXISNEXIS SCREENING	54348	SEARCHES	1301751-20100930		153.00	
		CHECK NO.	84205			153.00
MALONE SR, SHAWN	54300	PAID VOIDED TICKETS	3500-09/10		35.00	
		CHECK NO.	84206			35.00
MANCANIELLO, JIM	54350	WATER READINGS	123010		1230.10	
		CHECK NO.	84207			1230.10
MARBACH, WALTER	54299	RESPOND PD VOIDED TICKETS	277252		85.00	
		CHECK NO.	84208			85.00

PAYEE	INVOICE	CHECK
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
MARTIS CATERING		
54289 LUNCHEON	C15178	2292.15
	CHECK NO. 84209	2292.15
MARILYN AKINS INTERIORS		
54382 CONT BD/316 S BODIN	19523	500.00
	CHECK NO. 84210	500.00
MARK NICHOLS		
54412 POLAR EXPRESS	23591	280.00
	CHECK NO. 84211	280.00
MCKENNA, DANN		
54381 CONT BD/220 N COUNTY	019525	500.00
	CHECK NO. 84212	500.00
MECHANISM EXCHANGES		
54430 PEDESTALS	046003	362.61
	CHECK NO. 84213	362.61
MIDWEST HEALTH WORKS		
54259 DRUG TESTS	17516	394.00
	CHECK NO. 84214	394.00
MIKEL, SANDY		
54426 TEST REIMBURSTMENT	57404	110.00
	CHECK NO. 84215	110.00
MOTIVE PARTS CO FMP		
54321 AUTO PARTS	034545/204548	637.17
	CHECK NO. 84216	637.17
MTS SAFETY PRODUCTS INC		
54361 RAINCOATS	3072800	102.84
	CHECK NO. 84217	102.84
MY NEW NEIGHBOR I		
54325 BROCHURES	3067/3123	40.00
	CHECK NO. 84218	40.00
NAPA AUTO PARTS		
54349 AUTO PARTS	130419/131044	485.70
	CHECK NO. 84219	485.70
NATIONAL SAFETY COUNCIL		
54427 DDC INSTRUCTOR RENEWAL	R5536124	200.00
	CHECK NO. 84220	200.00

PAYEE	INVOICE	CHECK
VOL. DESCRIPTION	AMOUNT	AMOUNT
NEOCO INC		
54305 GASKET	831275	48.54
	CHECK NO. 84221	48.54
NEXTEL/SPRINT		
54258 CELL PHONES	977740515104	2406.56
	CHECK NO. 84222	2406.56
NICOR GAS		
54304 GENERATOR	3846601000-09/10	92.54
54305 YOUTH CENTER	9207790000-09/10	44.56
54368 350 VINE	1327011000-9/10	124.61
	CHECK NO. 84223	261.91
NORTH EAST MULTI-REGIONAL		
54342 CLASS	136384	3300.00
	CHECK NO. 84224	3300.00
OFFICEMAX/A BOISE COMPANY		
54311 OFFICE SUPPLIES	470887	75.56
54364 OFFICE SUPPLIES	664725/105/212	114.38
	CHECK NO. 84225	189.94
FLECZYNSKI, LINDA		
54313 PROSECUTOR	4942	1344.00
	CHECK NO. 84226	1344.00
PRO SAFETY		
54273 GLOVES	2/674840	60.65
	CHECK NO. 84227	60.65
QUARRY MATERIALS, INC.		
54274 SURFACE	39761/39782	790.76
54282 ASPHALT	39738	1175.54
54409 ASPHALTS	39827	852.24
54414 ASPHALT	39849	852.24
54436 COLD PATCH	39865	1246.56
	CHECK NO. 84228	4917.34
RAILROAD MANAGEMENT CO		
54366 RENTAL	267055	219.62
	CHECK NO. 84229	219.62
RAY CHERRON CO INC		
54363 BATTERIES	27824	151.80
	CHECK NO. 84230	151.80

PAYEE	INVOICE	CHECK
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
RED WING SHOE STORE		
54315 WORK BOOTS	450000001908	212.48
	CHECK NO. 84231	212.48
RIDDLE, KENNETH		
54321 REFUND PD VOID TICKETS	0607000181	150.00
	CHECK NO. 84232	150.00
ROSS, JOSEPH		
54398 KLM REFUND	EN100522/19701	250.00
	CHECK NO. 84233	250.00
RUSHFORD, DONALD		
54359 KLM REFUND	EN100919/19422	500.00
	CHECK NO. 84234	500.00
SAMS CLUB		
54353 ASST MERCHANDISE	201150000	415.15
	CHECK NO. 84235	415.18
SEC GROUP INC		
54389 RESURFACING	69821	9229.85
54392 2010 RESURFACING	70123	167.02
	CHECK NO. 84236	9396.87
SOUTH SIDE CONTROL SUPPLY		
54369 GASKETS	332186	85.37
	CHECK NO. 84237	85.37
SPECIAL T UNLIMITED		
54314 T SHIRTS	035779	210.00
	CHECK NO. 84238	210.00
SPICITO, DOLORES		
54376 CONT RD/111 HILLCREST	15637	500.00
	CHECK NO. 84239	500.00
SPORT SUPPLY GROUP, INC.		
54287 SPORTS EQUIPMENT	93687360	649.79
	CHECK NO. 84240	649.79
SPORTS R US		
54283 INSTRUCTION *REIMS EXP*	1446	1443.00
	CHECK NO. 84241	1443.00
SPORTSFIELD INC		
54279 BALLFIELD MIX	201811	1071.60

PAYER VOU. DESCRIPTION	VENDOR INVOICE	INVOICE AMOUNT	CHECK AMOUNT
SPORTSFIELD INC	CHECK NO. 84242		1071.60
SPRA			
54295 MEMBERSHIP FEE	55986	20.00	
	CHECK NO. 84243		20.00
STENBENZ, ROOSE			
54403 KLM REFUND	EN100905/19405	500.00	
	CHECK NO. 84244		500.00
SUBURBAN DOOR CHECK			
54319 SPINDLE	403021	12.10	
	CHECK NO. 84245		12.10
SULICA, PIOTR L			
54408 CONT BD/415 S JACKSON	019577	500.00	
	CHECK NO. 84246		500.00
SULLIVAN, JANNINE			
54402 KLM REFUND	EN100911/19436	500.00	
	CHECK NO. 84247		500.00
SW CENTRAL DISPATCH			
54337 DISPATCH SERVICES	253402-10/10	2534.02	
	CHECK NO. 84248		2534.02
THE HINSDALEAN			
54281 PUBLIC HEARING	15434/15319	468.00	
54351 AD LOCALS	8603/8652/8708/5	1125.00	
	CHECK NO. 84249		1593.00
TNT CONCRETE CONST INC			
54411 CONCRETE REPAIRS	180000	1800.00	
	CHECK NO. 84250		1800.00
TPI BLDG CODE CONSULTANT			
54344 PLAN REVIEW	4670	2279.50	
	CHECK NO. 84251		2279.50
TRAFFIC CONTROL & PROTECT			
54285 SIGNS	67494	42.96	
54415 SIGNS	67688	99.37	
	CHECK NO. 84252		142.33
TREE TOWN REPRO SERVICE I			
54447 MAPS	151394	10.00	

PAYEE	INVOICE	CHECK
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
TREE TOWN REPRO SERVICE 1	CHECK NO. 84253	10.00
TRUGREEN-CHEMLAWN	633170	8342.97
54270 PEST/WEED APPLICATION	CHECK NO. 84254	8342.97
TURNER, SARAH	A5049	25.00
54302 REFUND PD VOIDED TICKETS	CHECK NO. 84255	25.00
UNCOMMON USA INC	0618913-IN	66.00
54316 PLUGS	CHECK NO. 84256	66.00
UNITED RADIO COMMUNICATIO	19939000	60.00
54370 05/10 RADIO REPAIRS	19936923	60.00
54371 05/10 RADIO REPAIRS	19936806	60.00
54372 RADIO REPAIRS	19938700	60.00
54373 RADIO REPAIRS	CHECK NO. 84257	240.00
UNIVERSAL TAXI DISPATCH	6171	10.00
54297 SE TAXI COUPONS	CHECK NO. 84258	10.00
UPS STORE #3276	9790/9811/9959	30.32
54320 UPS CHARGES	CHECK NO. 84259	30.32
US GAS	160585	85.00
54277 AIR SUPPLIES	CHECK NO. 84260	85.00
VERIZON WIRELESS	2466066950	645.19
54428 MODEMS	CHECK NO. 84261	645.19
VERIZON WIRELESS	2463901655	2.56
54317 MODEM	CHECK NO. 84262	2.56
VILLAGE OF HINSDALE-FIRE	33243	332.43
54432 PD PTTY CASH	CHECK NO. 84263	332.43
VILLAGE TAXI SERVICE, INC		

PAYEE		INVOICE	CHECK
VOU, DESCRIPTION	VENDOR INVOICE	AMOUNT	AMOUNT
VILLAGE TAXI SERVICE, INC			
54338 SR COUPONS	311477	38.50	
	CHECK NO. 84264		38.50
WAGNER, AZEA			
54303 REFUND PAID VOID TICKET	277036	50.00	
	CHECK NO. 84265		50.00
WAREHOUSE DIRECT INC			
54336 OFFICE SUPPLIES	678159-0	792.70	
54419 OFFICE SUPPLIES	682055/1549/1563	243.05	
	CHECK NO. 84266		1035.75
WARREN OIL COMPANY			
54345 FUEL	1617276	15665.93	
	CHECK NO. 84267		15665.93
WESTON CAROL			
54413 FINAL POLAR EXPRESS	23592	280.00	
	CHECK NO. 84268		280.00
WILLIAMS, DEATRICE			
54421 REISSUE CK #79988	EM290814/18848-1	500.00	
	CHECK NO. 84269		500.00
WILLOWBROOK FORD INC			
54255 VEHICLE REPAIRS	5048250	625.63	
54256 CONVERTER ASSY	5050184	764.68	
54292 BUSHINGS	5050183/5050185	74.11	
	CHECK NO. 84270		1464.42
WRIGHT, BLAKE			
54377 CONT BD/816 S THURLOW	19614	500.00	
	CHECK NO. 84271		500.00
ZEE MEDICAL			
54266 MEDICAL SUPPLIES	0100285756	98.54	
54310 MEDICAL SUPPLIES	0100285757	72.30	
	CHECK NO. 84272		170.84
ZERBS, RONALD			
54375 CONT BD/513 JUSTHA	19645	500.00	
	CHECK NO. 84273		500.00
ZICKERT, LLOYD			
54380 CONT BD/0 CHARLESTON	19583	500.00	
	CHECK NO. 84274		500.00

PAYEE	INVOICE	CHECK
VOU. DESCRIPTION	VENDOR INVOICE	AMOUNT
ZIRBELL WATER SERVICE		
54341 WATER MAIN	203985	5144.88
	CHECK NO. 84275	5144.88
ZION LUTHERAN CHURCH		
54425 TABLES/CHAIRS	1001-1	140.00
	CHECK NO. 84276	140.00
A/R CONCEPTS INC		
54544 COLLECTION FEES	VCH305-06/10	741.75
	CHECK NO. 84277	741.75
APLAC FLEXONE		
54536 APLAC OTHER	1015100000000000	310.78
54537 APLAC SLAC	1015100000000000	271.20
54538 ALPAC OTHER	1015100000000000	356.72
	CHECK NO. 84278	938.70
COLONIAL LIFE PROCESSING		
54530 COLONIAL OTHER	1015100000000000	27.63
54531 COLONIAL S L A C	1015100000000000	54.33
	CHECK NO. 84279	81.96
LSNB AS TRUSTEE FOR POST		
54539 PRHP COMPTIME PD	1015100000000000	495.26
54540 PRHP REGULAR	1015100000000000	2240.63
54541 PRHP COMPTIME NON FCP	1015100000000000	550.38
54542 PRHPFD	1015100000000000	578.35
	CHECK NO. 84280	3864.62
NATIONWIDE RETIREMENT SOL		
54532 USCM/PERSCO	1015100000000000	1630.00
	CHECK NO. 84281	1630.00
SAFETY VILLAGE		
54516 DONATIONS/M. JOHNSON	96000-10/10	960.00
	CHECK NO. 84282	960.00
SPRA		
54517 REGISTRATION	59034	18.00
	CHECK NO. 84283	18.00
STATE DISBURSEMENT UNIT		
54543 CHILD SUPPORT	1015100000000000	1461.70
	CHECK NO. 84284	1461.70
VILLAGE OF HINGDALE		

PAYER	INVOICE	CHECK
VOL: DESCRIPTION	VENDOR INVOICE	AMOUNT
VILLAGE OF HENSDALE		
54533 MEDICAL REIMBURSEMENT	101510000000000	511.96
54524 DEP CARE REIMBURSEMENT	101510000000000	215.67
545 5 MEDICAL REIMBURSEMENT	101510000000000	427.50
	CHECK NO. 84285	1255.03
FOARD		
54547 WATER	130340-1	3015.68
	CHECK NO. 84285	3015.68
	BANK 1111 TOTAL	568,154.08

HINSDALE FIREFIGHTERS PENSION #7176
Warrant # 1489

CHECK DATE	PAYEE	CHECK NUMBER	CHECK AMOUNT
10/15/2010	KENNETH KASPAR	105673	2,318.07
10/15/2010	LLOYD H HEINEMANN	105674	3,156.09
10/15/2010	ROBERT KASPER	105675	3,382.40
10/15/2010	CALVIN JOHNSON	105676	2,595.74
10/15/2010	JOHN P WARGEN	105677	2,296.64
10/15/2010	JOHN L MILLER	105678	2,420.73
10/15/2010	ROBERT L EVANS	105679	4,137.00
10/15/2010	GEORGE C KERINS	105680	2,156.94
10/15/2010	RAY HENSHAW	105681	2,687.23
10/15/2010	STANLEY BULAT	105682	5,636.37
10/15/2010	WILLIAM P EBY	105683	3,415.97
10/15/2010	PATRICK F HEINEMANN	105684	2,172.79
10/15/2010	MARILYN MUSCH	105685	2,700.22
10/15/2010	JOHN MEJDRECH	105686	4,153.24
10/15/2010	MICHAEL E SPIEL	105687	2,149.86
10/15/2010	RICHARD BOCEK	105688	1,286.38
10/15/2010	SCOTT MILLER	105689	3,775.23
10/15/2010	RICHARD CIRCO	105690	2,242.66
10/15/2010	PATRICK KENNY	105691	5,308.77
10/15/2010	THOMAS SENER	105692	3,515.75
10/15/2010	CHERYL JOHNSON	105693	<u>4,320.17</u>
TOTAL FIREFIGHTER'S PENSION CHECKS			<u>65,828.25</u>
TOTAL PENSION CHECKS			<u><u>126,015.89</u></u>

HINSDALE POLICE PENSION #7173
Warrant # 1489

CHECK DATE	PAYEE	CHECK NUMBER	CHECK AMOUNT
10/15/2010	VIRGINIA POTEPA	105653	1,000.00
10/15/2010	DOLORES HERMES	105654	1,087.07
10/15/2010	CAROL BAUMGARTEN	105655	1,047.59
10/15/2010	GEORGE D'URFOR	105656	1,678.33
10/15/2010	NORA H RICHIE	105657	1,969.16
10/15/2010	KENNETH FELBINGER	105658	3,517.57
10/15/2010	FRANCINE ANDERSON	105659	1,629.88
10/15/2010	JOSEPH M KOZAK	105660	3,111.69
10/15/2010	DANIEL J HETHERINGTON	105661	3,971.39
10/15/2010	PAUL E TULACKA	105662	1,812.15
10/15/2010	WILLIAM M BLAZEJEWSKI	105663	3,016.10
10/15/2010	EDWARD KUBISH	105664	3,519.48
10/15/2010	WILLIAM ZAHALKA	105665	3,184.18
10/15/2010	JAMES ECCARDT	105666	5,391.43
10/15/2010	KELLY WEEKS	105667	3,077.05
10/15/2010	RONALD HOOGSTRA	105668	4,825.95
10/15/2010	PAUL LAMBERT	105669	4,543.45
10/15/2010	ROBERT KRAFT	105670	2,617.93
10/15/2010	RICHARD BIRDSONG	105671	4,249.32
10/15/2010	KAREN O'MALLEY	105672	<u>4,938.22</u>

TOTAL POLICE PENSION CHECKS 60,187.64

Village of Hinsdale
Environment and Public Services Committee
Meeting Agenda
Monday, October 18, 2010
4:00 P.M.
Memorial Hall Board Room
(Tentative and Subject to Change)


1. Approval of Minutes – September 13, 2010
2. Public Services Monthly Report
 - a) Emerald Ash Borer Status Update
 - b) Central Business District Tree Update
 - c) Central Business District Snow Removal Bids
3. Engineering Monthly Report
 - a) Veeck Park Wet Weather Facility Update
 - b) 2009 Road Program Update – Garfield Road Improvements
 - c) State and Federal Funding Opportunities
4. Request for Board Action
 - a) To Approve a Resolution for Improvement by Municipality Under the Illinois Highway Code for Chestnut Street Project Design Engineering.
 - b) To Approve a Resolution for Improvement by Municipality Under the Illinois Highway Code for N. Washington Street Project Design Engineering.
 - c) To Approve a Resolution for the Veeck Park Wet Weather Facility Contract Change Order Number 5.
 - d) To Approve a Resolution for the Local Agency Amendment #1 for Federal Participation in IDOT Section 08-00086-00-RS, the Garfield Street Utility Improvements Project.
 - e) To Approve a Resolution for the Garfield Street Utility Improvement Project Construction Observation Contract with SEC Group, Inc. in the Amount of \$27,727.86.
5. Adjournment

Items listed on the agenda will be discussed and considered by the Committee. The Committee welcomes public comment on the agenda items during discussion. Items that were previously discussed by one of the Village's Commissions and referred to the Committee for further consideration are noted on the agenda. Items recommended for approval at this meeting are then referred to the Village Board for further consideration at their next meeting. Items that are unanimously recommended for approval will be placed under the Consent Agenda section of the Board meeting. Items that do not receive a unanimous recommendation will be placed under the Committee Agenda section of the Board meeting.

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 630-789-7022, promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons.

Village Web Site: www.villageofhinsdale.org

REQUEST FOR BOARD ACTION

AGENDA		ORIGINATING DEPARTMENT		
SECTION NUMBER		Community Development		
ITEM Case A-09-2010 – Applicant: Village of Hinsdale – Request: Text Amendment to Section 5-110G (Bulk, Space, And Yard Requirements), of the Hinsdale Zoning Code as it relates to existing non-conforming structures in the B-2, Central Business District.		APPROVAL		
<p>The Applicant, the Village of Hinsdale, has submitted an application to amend Section 5-110G of the Village of Hinsdale Zoning Code, as it relates to existing non-conforming structures in the B-2 Central Business District, and the allowance for them to be rebuilt to their current standing.</p> <p>On April 20th, 2010 a text amendment brought forth by Karl Weber, regarding overall building height in the B-2 Business District was approved by the Village Board. Following the approval of this text amendment, concern was expressed and interest shown regarding the ability to maintain the current status of the buildings downtown and their ability to be rebuilt to their current status, regardless of why the structures were being rebuilt or altered. As a result of these concerns the Village Attorney and staff have recommended the following language to provide downtown building owners the ability to alter or rebuild their existing buildings to the same degree that they exist today.</p> <p><u>Alteration, Renovation, Repair or Reconstruction of Certain Principal Structures Existing Before April 20, 2010:</u> A principal structure that as of April 20, 2010 exceeds two (2) stories and/or thirty (30) feet in height, as that term is defined under the Code, may be altered, renovated, repaired or reconstructed to the same specifications that existed on April 20, 2010, including but not limited to the height, lot coverage and setback of said structure, notwithstanding the non-conformance of the structure before and after the alteration, renovation, repair or reconstruction; provided, however, the protection afforded by this paragraph shall no longer apply to any such structure that is brought into conformance after April 20, 2010.</p> <p>At the Plan Commission meeting of September 8, 2010, it was recommended, unanimously (7-0) that the text amendment to Section 5-110G (Bulk, Space, And Yard Requirements), of the Hinsdale Zoning Code as it relates to existing non-conforming structures in the B-2, Central Business District, be approved.</p> <p>Attached are the approved findings and recommendation from the Plan Commission and the ordinance.</p> <p>MOTION: Move that the Board of Trustees approve an “Ordinance Amending Article V (Business Districts), Section 5-110 (Bulk, Space and Yard Requirements), Subsection A (Maximum Height) and Subsection G (“Exceptions and Explanatory Notes”) of the Hinsdale Zoning Code Regarding Overall Building Height in the B-2 Central Business District”.</p>				
APPROVAL 	APPROVAL	APPROVAL	APPROVAL	MANAGER'S APPROVAL
COMMITTEE ACTION: On September 20, 2010, the Zoning and Public Safety Committee unanimously moved to recommend approval of the above motion.				
BOARD ACTION:				

HINSDALE PLAN COMMISSION

RE: Case A-09-2010 - Applicant: Village of Hinsdale – Request: Text Amendment to Section 5-110G (Bulk, Space, And Yard Requirements), of the Hinsdale Zoning Code as it relates to existing non-conforming structures in the B-2, Central Business District.

DATE OF PLAN COMMISSION REVIEW: July 14 and September 8, 2010

DATE OF ZONING AND PUBLIC SAFETY REVIEW: September 20, 2010

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. The Applicant, The Village of Hinsdale, submitted an application to amend Section 5-110G (Bulk, Space, And Yard Requirements), of the Hinsdale Zoning Code as it relates to existing non-conforming structures in the B-2, Central Business District.
2. The Plan Commission heard a summary of the text amendment from staff at the Plan Commission meeting of July 14, 2010.
3. The Plan Commission indicated they generally approved of the language proposed for the text amendment but would prefer to see it in the context of a draft ordinance.
4. Staff provided a draft ordinance containing the proposed language in the text amendment for the Plan Commission meeting of September 8, 2010.
5. 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 13th day of Oct., 2010.

VILLAGE OF HINSDALE

ORDINANCE NO. _____

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

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

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

WHEREAS, the Zoning and Public Safety Committee of the Board of Trustees of the Village of Hinsdale, at a public meeting on September 20, 2010, considered the Application and the Findings and Recommendation of the Plan Commission and made its recommendation to the Board of Trustees; and

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

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

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

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

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

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

	B-1	B-2	B-3
<i>A. Maximum Height¹⁴:</i>			
1. Principal structures:			
(a) Feet	30	30 ^{2,14}	30
(b) Stories (whichever is less)	2	2 ¹⁴	2
*	*	*	*

G. Exceptions And Explanatory Notes:

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

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

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

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

PASSED this ____ day of _____ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____ 2010.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Deputy Village Clerk

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