

DRAFT

VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
May 19, 2010

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6 **1. Call to Order**

7 Chairman Bill Haarlow called the regularly scheduled meeting of the
8 Zoning Board of Appeals to order on Wednesday, May 19, 2010 at 7:35 p.m.
9 in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue,
10 Hinsdale, Illinois.

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12 **2. Roll Call**

13 Present: Chairman Bill Haarlow, Members Gary Moberly, Debra
14 Braselton, Bob Neiman, Keith Giltner and John Callahan

15
16 Absent: Member Marc Connelly

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18 Also Present: Director of Community Development Robb McGinnis and
19 Court Reporter Kathy Bono

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21 **3. Administer Oath of Office**

22 Reappointment of Members Moberly and Giltner – In the absence of the
23 Deputy Clerk, the oath will be administered at the next regularly
24 scheduled meeting. A quorum of the Board is present whether or not
25 Members Moberly and Giltner are included.

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27 **4. Approval of Minutes – April 21, 2010**

28 Member Giltner asked that a sentence be stricken from the draft minutes.
29 Member Neiman **moved approval of the minutes of the Meeting of**
30 **April 21, 2010, as amended.** Member Braselton seconded the motion.

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32 **AYES:** Members Braselton, Neiman, Giltner and Chairman Haarlow

33 **NAYS:** None

34 **ABSTAIN:** Members Moberly and Callahan

35 **ABSENT:** Member Connelly

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37 Motion carried.

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39 **5. Receipt of Appearances – None**

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41 **6. Receipt of Requests, Motions, Pleadings, or Requests to make**
42 **Public Comment of a General Nature - None**
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1 **7. Pre-Hearing and Agenda Setting – None**
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3 **8. Public Hearings**

4 a) **V-02-10, 211 W. Fourth Street**

5 Chairman Haarlow opened the public hearing and invited Mr. Morgan
6 to address the Board. Chairman Haarlow summarized by stating that
7 this is a non-conforming lot with non-conforming side and rear yard
8 setbacks; the application requests a very modest increase to the non-
9 conformity. The Village Attorney has confirmed that this request is
10 acceptable under the code. Basically, the applicant wishes to rebuild
11 the garage and replace a deficient addition on the back of the house with
12 a modern kitchen and small open porch area. Mr. Morgan confirmed
13 Mr. Haarlow's assessment adding that the coverage area conforms, FAR
14 is under the allowable amount, this is only a setback issue. He stated
15 that the yard depth is short; the home was constructed in 1905 and
16 predates modern zoning, a substantial part of house falls in the setback.
17 He is requesting roughly the same footprint for the house addition,
18 which will maintain the existing setback. The existing garage is small
19 and close to the house, he is proposing to move it away from house and
20 make it more modern in size resulting in an increase of the non-
21 conformity. He believes this proposal would improve the function of the
22 garage and the house. Chairman Haarlow commented that in the case
23 of the garage the non-conforming rear yard would be reduced from 7.81'
24 feet to 6' feet; an additional 1.8' feet on north side. On the west side of
25 the house the setback would be reduced from 5.34' feet to 4' feet. The
26 garage would be closer to the lot line by under 2' feet in both directions.
27 Mr. Morgan commented that there are neighbors driveways adjacent to
28 his home and garage and their homes would remain a distance from his.

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30 Member Braselton asked about feedback from the neighbors. Mr.
31 Morgan said they did talk to the neighbors, and people are very positive
32 and supportive of the proposal. They included copies of the drawings
33 and a cover letter with their required mailing inviting neighbors to
34 contact them with concerns, no one expressed concerns. Mr. Morgan
35 confirmed specifically that the neighbors to the east and west of his
36 residence are both ok with the project.

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38 There being no further presentation or questions, **Member Callahan**
39 **moved to close the public hearing for V-02-10, 211. W. Fourth**
40 **Street.** Member Braselton seconded the motion.
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1 **AYES:** Members Moberly, Braselton, Neiman, Giltner, Callahan and
2 Chairman Haarlow

3 **NAYS:** None

4 **ABSTAIN:** None

5 **ABSENT:** Member Connelly

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7 Motion carried.

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10 **D E L I B E R A T I O N**
11 **V-02-10, 211 W. Fourth Street**

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13 Member Neiman said in terms of encouraging rehabs, the willingness to talk
14 thru the matter with the neighbors, driveways on all three sides, this
15 variation is the quintessential reason why variances should be granted. Mr.
16 McGinnis confirmed that all registered mailing receipts have been received.
17 Member Braselton agrees this is a modest request, and a perfect example of
18 hardship, she is totally in favor. Member Moberly applauds the Morgan's
19 efforts, but cautioned the Board on the matter of precedent. Member
20 Callahan commented this is probably the smallest property in Hinsdale. To
21 Member Moberly's concerns, Chairman Haarlow said the final decision will
22 state the reasons why this is unique to this lot; with the garage there is a
23 minor increase to non-conformity and no special privilege. Regarding
24 precedent with the house, there is no issue with extension to east, it is
25 conforming. Further, with regard to the situation with the current
26 foundation, common sense should prevail, the proposal is a real
27 improvement, it is reasonable and modest and there is no impact to setbacks.

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29 Member Callahan moved to **close discussion on V-02-10**. Member Moberly
30 seconded the motion.

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32 **AYES:** Members Moberly, Braselton, Neiman, Giltner, Callahan and
33 Chairman Haarlow

34 **NAYS:** None

35 **ABSTAIN:** None

36 **ABSENT:** Member Connelly

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38 Motion carried.
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1 Member Braselton moved to **approve the variation as presented for V-**
2 **02-10, 211 W. Fourth Street.** Member Callahan seconded the motion.

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4 **AYES:** Members Moberly, Braselton, Neiman, Giltner, Callahan and
5 Chairman Haarlow

6 **NAYS:** None

7 **ABSTAIN:** None

8 **ABSENT:** Member Connelly

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10 Motion carried.

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13 **9. New Business – None**

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15 **10. Unfinished Business – None**

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17 **11. Adjournment**

18 With no further business coming before the Zoning Board of Appeals,
19 Member Callahan made a motion to **adjourn the meeting of the Zoning**
20 **Board of Appeals of April 21, 2010.** Member Neiman seconded the
21 motion. Voice vote taken, all in favor. Motion carried.

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23 Chairman Haarlow declared the meeting adjourned at 8:05 p.m.


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28 Christine M. Bruton
29 ZBA Staff Secretary

Approved: _____

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MEMORANDUM

TO: Chairman Haarlow and Members of the Zoning Board of Appeals

FROM: Robert McGinnis MCP 
Director of Community Development/Building Commissioner

DATE: June 10, 2010

RE: Zoning Variation – V-03-10 115 E. Maple Street


In this application for variation, the applicant requests relief from the requirements of 9-104-F-3(c) in order to widen a legal non-conforming circular driveway.

This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the north side of Maple Street between Garfield and Park. The property has a frontage of approximately 98', a depth of approximately 129.5', and a total square footage of approximately 19,079. The maximum FAR is 5,779 square feet and the maximum allowable building coverage is 25% or approximately 4,770 square feet.

cc: Dave Cook, Village Manager
Zoning file V-03-10

MEMORANDUM

TO: Chairman Haarlow and Members of the Zoning Board of Appeals

FROM: Robert McGinnis MCP 
Director of Community Development/Building Commissioner

DATE: June 10, 2010

RE: Zoning Variation – V-04-10 409 W. Walnut Street

In this application for variation, the applicant requests an increase in allowable Building Coverage and Floor Area Ratio for the construction of an attached garage. The specific provisions are 3-110(E&F).

It should be noted that at this time the Zoning Board of Appeals does not have the authority to grant variations to either of these bulk zoning requirements. The applicant is filing a text amendment that, if approved, will grant the Board of Trustees the authority to hear requests for variation to those specific provisions that the Zoning Board of Appeals cannot, but only after a public hearing before the Zoning Board of Appeals and a recommendation to either grant or deny the request. The application for text amendment is being filed concurrently under the provisions of 11-301H.

This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the north side of Walnut Street between Madison and Clay. The property has a frontage of approximately 78.5', a depth of approximately 140.5', and a total square footage of approximately 11,013. The maximum FAR is 3,843 square feet and the maximum allowable building coverage is 25% or approximately 2,753 square feet.

cc: Dave Cook, Village Manager
Zoning file V-04-10

FINAL DECISION

VILLAGE OF HINSDALE ZONING BOARD OF APPEALS PETITION FOR VARIATION

Zoning Calendar: V-02-10

Petitioner: Denise and James Morgan

Meeting held: Public Hearing was held on Wednesday, May 19, 2010 at 7:30 p.m. in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on April 29, 2010.

Premises Affected: Subject Property is commonly known as 211 W. 4th Street, Hinsdale, Illinois and is legally described as:

THE WEST 61.0 FEET OF LOT 12 IN BLOCK 4 IN J.L. CASE'S ADDITION TO HINSDALE, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 13, 1872 AS DOCUMENT 15440, IN DUPAGE COUNTY, ILLINOIS

Subject: In this application for variation, the applicant requests a reduction of the required side yard from 7.10' to 4' for the reconstruction of a detached garage and a reduction of the required rear yard from 25' to 13.34' for the reconstruction of an addition to the rear of their home.

Facts: This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the north side of W.4th Street between Vine and Grant Street. The property has a frontage of approximately 61', a depth of approximately 65', and a total square footage of approximately 3,965. The maximum FAR is 2,800 square feet and the maximum allowable building coverage is 25% or approximately 991.25 square feet.

The specific ordinance provision from which a variation is sought is 3-110-D(1) & D(3).

Action of the Board: The Board reviewed and discussed the variation as requested. Members concluded that the standards for variation set forth in 11-503 (F) of the Hinsdale Zoning Code had been met.

A motion to approve was made by Member Braselton and seconded by Member Callahan.

AYES: Members Gary Moberly, Debra Braselton, Bob Neiman, Keith Giltner, John Callahan and Chairman Bill Haarlow.

NAYS: None

ABSTAIN: None

ABSENT: Member Marc Connelly

THE HINSDALE ZONING BOARD OF APPEALS

Chairman Bill Haarlow

Filed this ____ day of _____, _____, with the office of the Building Commissioner.