

**VILLAGE OF HINSDALE  
ZONING BOARD OF APPEALS  
MINUTES OF THE MEETING  
January 19, 2011**

**1. Call to Order**

Chairman Bill Haarlow called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, January 19, 2011 at 7:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

**2. Roll Call**

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

Absent: None

Also Present: Director of Community Development/Building Commissioner Robb McGinnis, Deputy Village Clerk Christine Bruton and Court Reporters Kathy Bono and Tara Zeno

**3. Approval of Minutes**

Ms. Braselton asked that the spelling of her name be corrected. Member Moberly **moved to Approve the Minutes of November 17, 2010, as amended.** Member Braselton seconded the motion.

AYES: Members Moberly, Braselton, Neiman, Giltner and Chairman Haarlow

NAYS: None

ABSTAIN: Members Connelly and Callahan

ABSENT: None

Motion carried.

**4. Receipt of Appearances** – Oath administered by Ms. Bono to all persons intending to speak during the public hearings.

**5. Receipt of Requests, Motions, Pleadings, or Requests to make Public Comment of a General Nature** - None

**6. Pre-Hearing and Agenda Setting**

**a) V-09-10, 722-728 N. York Road**

Mr. Robert Brockman addressed the Board providing an overview of the situation with his building and the necessity for a map amendment and necessary variances. Director of Community Development Robb

1 McGinnis explained this property is currently in the O-2 district, the  
2 map amendment would rezone the property to B-1, which is in line with  
3 the current uses in the building; the underlying parcel meets the  
4 regulations in the B-1. On the advice of the Village Attorney, the  
5 variations are being sought to remove as many non-conformities as  
6 possible. The proposed amendment does not increase any non-  
7 conformities; the present uses become compliant and building and site  
8 improvements become code compliant. Front yard setback and parking  
9 variations are requested.

10  
11 The Public Hearing for this matter is set for the regularly scheduled  
12 meeting of the Zoning Board of Appeals on February 16, 2011.  
13

## 14 7. Public Hearings

### 15 a) V-07-10, 217 Ravine Road (Transcript on file.)

16 Ms. Monica Ashe-Knapp, owner and applicant, addressed the Board  
17 stating she is pursuing a variance to build a standard two-car garage.  
18 She noted that her request is compliant with FAR, setback and is 98%  
19 compliant with lot coverage. Her architect, Mr. Dennis Parsons is  
20 present to speak to the technical aspects of her variation request. She  
21 addressed the unique physical condition of her home stating that her  
22 home is part of Hinsdale's vintage housing stock, but it has a one-car  
23 attached rear-load garage. She has no alley access and her property is  
24 an interior lot. The existing garage has one stall and is unusable. She  
25 addressed the self-created requirement to grant a variance. When she  
26 bought her home the sellers represented that a two-car garage was  
27 'doable' and she was provided a pre-plan review. She pointed out that  
28 the existing garage has a 'funky extension' probably not built according  
29 to code, it is on a floating slab and she would like to fix this non-  
30 conformity. Finally, §10-104(B)6 allows for existing pre-code single-  
31 family homes to demolish and rebuild garages. She commented that the  
32 norm in Hinsdale is to have a garage that houses multiple vehicles, and  
33 that she is only requesting a usable two-car garage. She noted that  
34 economic hardship is not a prerequisite to approval but it was cited in  
35 the Seybold Case (409 W. Walnut) and in the Bensfield case (402  
36 Briargate Terrace) FAR was a consideration.

37  
38 Chairman Haarlow noted that the ZBA does not have the authority to  
39 waive FAR and although economic hardship may be argued the ZBA  
40 would not uphold that as a valid argument. Discussion followed. Mr.  
41 Parsons explained that great efforts have been made to remove the  
42 existing garage and create an envelope that is conforming. He noted  
43 that maneuverability is an issue on this property.  
44

1 Member Moberly referenced the neighbor's concerns about drainage and  
2 Ms. Knapp explained that this plan decreases the impervious area and  
3 does not change the flow of water on the property. Mr. Parsons  
4 illustrated this on the engineering report. He also noted that this  
5 garage would be five feet from the property line, when two feet is  
6 allowable. He also noted that an arborist has confirmed that the  
7 placement of the proposed garage will permit adequate light and poses  
8 no threat to area trees.  
9

10 Member Neiman hopes care will be taken to work with the Donaldson's  
11 to landscape appropriately to resolve their site line issues. Ms. Knapp  
12 stated she doesn't want to create any visual impairment, but she noted  
13 they planted 20 arborvitae and these trees cover their proposed garage.  
14 She pointed out that every house in the neighborhood has a view of  
15 somebody's garage. Discussion followed regarding the pitch and height  
16 of the garage roof.  
17

18 Member Callahan moved to close the Public Hearing for V-07-10,  
19 217 Ravine Road. Member Neiman seconded the motion.  
20

21 AYES: Members Connelly, Moberly, Braselton, Neiman, Giltner,  
22 Callahan and Chairman Haarlow

23 NAYS: None

24 ABSTAIN: None

25 ABSENT: None  
26

27 Motion carried.  
28

29 Recess taken.  
30

31 b) **V-08-10, 337 E. Chicago Avenue** (Transcript on file.)

32 Mr. John Roxas, owner and applicant, addressed the Board, requesting  
33 a variance on setbacks for his basketball court noting that the court has  
34 already been constructed; a permit was applied for and issued. The  
35 required setback is ten feet, his court is constructed at a little over  
36 seven feet resulting in a 2½' foot variance. Initially, his was a 50' foot  
37 frontage, but he combined his with the neighboring lot, which increased  
38 the required setback to 10' feet. The contractor thought he was in the  
39 range. The court, as built, conformed with the code when it was a 50'  
40 foot lot. The court was constructed after the consolidation; the lot  
41 couldn't be improved until after the consolidation.  
42

43 Member Neiman pointed out that this is not just a basketball court and  
44 that the building permit doesn't mean you don't have to comply with the

code. Mr. Roxas agreed, and added that it really isn't fixable unless you reduce the size of the court because of the retaining walls. He explained that his back fence abuts the Burlington tracks and to the east is the garage of a rental property. Regarding the self-created aspect, he believes the consolidation of the lots created the problem, additionally, this is not a structure, it is just a slab of cement.

Member Callahan moved to close the Public Hearing for V-08-10, 337 E. Chicago Avenue. Member Braselton seconded the motion.

AYES: Members Connelly, Moberly, Braselton, Neiman, Giltner, Callahan and Chairman Haarlow

NAYS: None

ABSTAIN: None

ABSENT: None

Motion carried.

## DELIBERATIONS

### V-07-10, 217 Ravine Road

Chairman Haarlow began discussion reminding the Board that in the cases where the ZBA would make a recommendation to the Village Board, those cases would be exceptional and that raises the bar in terms of what can be recommended. In this matter, he noted that both the applicant and architect have made significant efforts to ameliorate the situation as much as possible. There was neighbor opposition in the Seybold case, too, and he noted Ms. Knapp's willingness to consider bringing down the structure a foot to improve the site line as a gesture of good faith. He sympathizes with the Donaldson's concerns, but unfortunately, we cannot control what our neighbors do with their properties. He noted that the reduction of the impervious surface is a favorable consideration. Member Neiman commented that he believes the exceptional standard is met; this garage is peculiar and this seems to be the least intrusive solution to the problem. Member Callahan pointed out that the ZBA treats cases ad hoc, this property has a unique character and this would not mirror all other garage approvals. Member Callahan moved approval of V-07-10, 217 Ravine Road, with a one foot decrease in height. Member Braselton recommended this matter be approved as proposed and doesn't think the one foot decrease makes a difference. Member Connelly commented that he finds a neighbor complaint more compelling if they show up. Member Giltner says it is good, however, to clarify that the impervious surface is improved to address one of the neighbor concerns. Discussion followed

1 regarding whether or not to lower the ridge by one foot. Member Callahan  
2 withdrew his motion on the table. Member Neiman **moved approval of**  
3 **V-07-10, 217 Ravine Road, as presented.** Member Braselton seconded  
4 the motion.

5  
6 AYES: Members Connelly, Moberly, Braselton, Neiman, Giltner, Callahan  
7 and Chairman Haarlow

8 NAYS: None

9 ABSTAIN: None

10 ABSENT: None

11  
12 Motion carried.

13  
14  
15 **V-08-10, 337 E. Chicago Avenue**  
16

17 Chairman Haarlow began deliberations stating that this case seems  
18 straightforward in that we have a sports court in violation and the permit  
19 was issued, but that still means the code must be adhered to. This is a  
20 case of asking forgiveness, the combining of the lots may have created the  
21 issue, but this Board needs to be mindful of the criteria for granting a  
22 variance. The self-created criteria seems relevant here. Member Neiman  
23 said this is a contractor error and should be resolved between the owner  
24 and the contractor, not between the owner and Village. Member Braselton  
25 agrees it's fixable, it is expensive and a hassle, but it is doable. Member  
26 Callahan disagrees stating this property is exceptional; the damage and  
27 the pain of doing the court over for an isolated area in town where it won't  
28 bother anybody seems extreme. Member Callahan **moved to approve V-**  
29 **08-10, 337 E. Chicago Avenue.** Member Moberly seconded the motion.

30  
31 AYES: Member Callahan

32 NAYS: Members Connelly, Moberly, Braselton, Neiman, Giltner and  
33 Chairman Haarlow

34 ABSTAIN: None

35 ABSENT: None

36  
37 Motion failed.

38  
39 **8. New Business**

40 a) **Approve Final Decision for V-06-10, 11 W. Maple Street**

41 Chairman Haarlow asked if there were any changes to the Draft Final  
42 Decision. There being none, Member Braselton moved to **Approve the**  
43 **Final Decision for V-06-10, 11 W. Maple Street.** Member Neiman  
44 seconded the motion.

1 AYES: Members Connelly, Moberly, Braselton, Neiman, Giltner, Callahan  
2 and Chairman Haarlow

3 NAYS: None

4 ABSTAIN: None

5 ABSENT: None

6  
7 Motion carried.

8  
9 Chairman Haarlow reminded the Board that because of the 30 day  
10 provision for approval of a final decision, this matter should be approved  
11 nunc pro tunc. Member Braselton moved to **Approve the Final Decision**  
12 **for V-06-10, 11 W. Maple Street, nunc pro tunc.** Member Neiman  
13 seconded the motion.

14  
15 AYES: Members Connelly, Moberly, Braselton, Neiman, Giltner, Callahan  
16 and Chairman Haarlow

17 NAYS: None

18 ABSTAIN: None

19 ABSENT: None

20  
21 Motion carried.

22  
23 **9. Unfinished Business – None**

24  
25 **10. Adjournment**

26 With no further business coming before the Zoning Board of Appeals,  
27 Member Callahan made a motion to **adjourn the meeting of the Zoning**  
28 **Board of Appeals of January 19, 2011.** Member Braselton seconded the  
29 motion.

30  
31 AYES: Members Connelly, Moberly, Braselton, Neiman, Giltner, Callahan  
32 and Chairman Haarlow

33 NAYS: None

34 ABSTAIN: None

35 ABSENT: None

36  
37 Motion carried.


38  
39 Chairman Haarlow declared the meeting adjourned at 9:03 p.m.

40  
41  
42  
43 \_\_\_\_\_  
44 Christine M. Bruton  
ZBA Staff Secretary

Approved: \_\_\_\_\_

## MEMORANDUM

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

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

**DATE:** February 10, 2011

**RE:** Zoning Variation – V-01-11 345 E. Hickory Street

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In this application for variation, the applicant requests relief from the fence requirements set forth in 9-12-3(E)(1)(a) for the construction of 4' high open wrought iron fence in the front yard. The Code limits fences in front yards to 3' in height when open.

It should be noted that this fence has already been constructed. Back up materials are attached for your convenience.

This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the north side of Hickory Street between Elm and Oak. The property has a frontage of approximately 172', an average depth of 300', and a total square footage of approximately 51,102. The maximum FAR is approximately 12,220 square feet and the maximum allowable building coverage is 25% or approximately 12,775 square feet.

cc: Dave Cook, Village Manager  
Zoning file V-01-11

# VILLAGE OF HINSDALE

## Certificate of Zoning Compliance

Subject to the statements below, the Village has determined that, based on the information included in Application #B10-00643 for a Certificate of Zoning Compliance, the proposal described in this certificate appears to comply with the standards made applicable to it by the Hinsdale Zoning Code.

This certificate is issued to:

**Hines**

Address or description of subject property:

**345 E. Hickory**

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

**3' high fence**

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Plans reviewed, if any: *See attached plans, if any.*

Conditions of approval of this certificate:

**Work under this certificate shall be limited to that authorized under the above listed permit only.**

*Note: other conditions may be attached to approval of any pending zoning application.*

**NOTE ALL OF THE FOLLOWING CAREFULLY:**

This approval granted in this certificate has been granted based on the information provided to the Village and the Village's understanding of the facts and circumstances related to the proposal at this time. If (a) any information provided to the Village changes, (b) any new information is becomes available or is discovered, or (c) the Village's understanding of the facts and circumstances otherwise changes, then this certificate may be rescinded.

This certificate does not signify Building Code Review or approval and is not authorization to undertake any work without such review and approval where either is required. See the Hinsdale Building Code for details.

Before any structure to which this certificate is applicable may be occupied or used for any purpose, a Certificate of Occupancy must be obtained. See Section 11-402 of the Hinsdale Zoning Code and the Hinsdale Building Code for details.

Subject to an extension of time granted pursuant to the Hinsdale Zoning Code, this certificate shall become null and void six months after the date on which it was issued unless construction, reconstruction, remodeling, alteration, or moving of a structure is commenced or a use is commenced.

~~If this certificate is issued in violation of the provisions of the Hinsdale Zoning Code, whether intentionally, negligently, or innocently, then it shall be void *ab initio* and shall give rise to no rights whatsoever.~~

By:

  
Village Manager

Dated:

11/1, 2010

# 3611016\_v1

Village of Hinsdale  
Department of Building and Zoning  
FENCE PERMIT

DATE ISSUED: 11/01/2010

PERMIT #: B10-00643

Address of Job: 345 E HICKORY ST HIN

Location: CALL FOR FINAL INSPECTION - 630 789-7031

PIN: 0901408016

Zoning:

Type of Building:

Description of Work: EXTEND WROUGHT FOUR FOOT WROUGHT IRON FENCE

Applicant: CHARLES HINES  
345 E. HICKORY STREET  
HINSDALE  
ILLINOIS 60521

Owner: CHARLES HINES  
345 E. HICKORY STREET  
HINSDALE  
ILLINOIS 60521

FEE INFORMATION

Fence Permit Fee.....:	\$40.00
Other Fee.....:	\$0.00
Double Fee.....:	\$0.00
TOTAL FEES.....:	\$40.00

Conditions of Issuance:

- 1. Fence in front cannot exceed three (3) feet in height. Fence must be constructed on owner's property.
- 2. Do not block or alter drainage
- 3. Prior to digging, please contact JULIE at (1-800-892-0123) to locate underground utilities
- 4. Finished side of fence must face neighboring property.

This permit is granted upon the express condition that said owner shall construct the work in accordance with the application, plans and specifications; and that all general and detail work connected with such installations, alterations or repair, as the case may be, shall be done in strict compliance with the ordinances of the Village of Hinsdale and laws of the State of Illinois, and may be revoked at any time for violation of the same.

This permit, as approved, must be started within 6 months from the date of issuance and must be completed within one year from the date of issuance. After that the permit must then be re-issued.

SIGNATURE: \_\_\_\_\_

*KW*

DATE: \_\_\_\_\_

*11-3-2010*

**VILLAGE OF HINSDALE  
COMMUNITY DEVELOPMENT**

**APPROVED**

**APPROVED AS NOTED**

**LETTER OF AGREEMENT**

**BUILDING OFFICIAL**

11-1-10  
DATE BUILDING OFFICIAL  
ANY EXIST FORWARD OF THE BLOCK AVERAGE  
TO BE MAX 3'0" HIGH - 1/2 OPEN  
Lot 1  
CALL FOR FINAL INSP. WHEN WORK IS COMPLETE  
51 108 52 Sq. Ft.

51,108.52 Sq. Ft.  
1.265 Acre

no error or omission in either the plans or application, whether said plans or application have been approved by the Building Official or not, shall permit or release the applicant from constructing this work in any manner other than that provided for in the ordinance of this Village relating thereto.

- Call 789-7030 for inspection
- Allow min. 24 hours for inspection
- Don't cover anything prior to inspection
- Changes must be requested in writing
- No changes permitted without approval

wrought iron  
fence to ~~exit~~ stairs  
walk (3'0" high)

NEW WOODHILL ROAD  
FENCE 3'-0" HIGH

EXISTING GILBERT ROAD FENCE

10' PUBLIC UTILITY & DRAINAGE EASEMENT

Lot  
34,661.8  
0.796 A

**345 E HICKORY STREET** (Rec. 66.00 ROW)

SOUTH ROW LINE

**VILLAGE OF HINSDALE  
INSPECTION RECORD SLIP**

PERMIT NO: B10-00643 DATE: 11-8-10 AM  
OWNER/ OCCUPANT: \_\_\_\_\_ TIME FOR INSP. \_\_\_\_\_ PM  
CONTRACTOR: \_\_\_\_\_ DATE INSP. CALLED IN \_\_\_\_\_  
ADDRESS: 345 E Hickory CALL BACK NO. \_\_\_\_\_  
WHO CALLED IN \_\_\_\_\_

TYPE OF INSPECTION: Fence Final

**ITEMS THAT NEED CORRECTIONS**

Fence height exceeds 3'0" (approved plans)  
Varies from 6" to 11" to high

☐ **APPROVED** ☒ **NOT APPROVED**

As soon as these items are corrected call the Building Dept. for a follow-up inspection: 630-789-7030

11-8-10

Date

MA

Signed by Village Inspector



## VILLAGE OF HINSDALE

FOUNDED IN 1873

19 EAST CHICAGO AVENUE  
HINSDALE, ILLINOIS 60521-3489 • (630) 789-7000  
Village Website: <http://www.villageofhinsdale.org>

POLICE DEPARTMENT 789-7070  
FIRE DEPARTMENT 789-7060  
121 SYMONDS DRIVE

VILLAGE PRESIDENT  
Tom Cauley

TRUSTEES  
J. Kimberley Angelo  
Doug Geoga  
Laura LaPlaca  
Bob Saigh  
Bob Schultz  
Cindy Williams

November 9, 2010

Charles Hines  
345 E. Hickory St.  
Hinsdale, IL 60521

RE: 345 E. Hickory St. – Fence final inspection

Dear Mr. Hines:

An inspection of the fence installed under permit #B10-00643 was done on November 8, 2010 and was not approved.

The fence heights vary more than 6" too high and in some cases was 11 inches higher than the approved plan of 3'0". Per the drawing detail and our conversation with Robb McGinnis here at the building department counter was - the fence height permitted is 3'0".

You can have the fence height reduced to 3'0" with the post being a maximum height of 3'6" by May 1, 2011, or you can apply to the Zoning Board of Appeals for a fence variation.

If I can be of further assistance, please feel free to e-mail me at [kanbach@villageofhinsdale.org](mailto:kanbach@villageofhinsdale.org) or call me at 630-789-7031.

Sincerely,


Kelly Anbach  
Code Enforcement Officer

cc: Robert McGinnis, Building Commissioner/Director of Community Development



## MEMORANDUM

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

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

**DATE:** December 9, 2010

**RE:** Zoning Variation – V-09-10 722-728 N. York Rd.

---

In this application for variation, the applicant requests relief from the front yard setback requirement set forth in section 5-110- C1 and for a 12% reduction in the number of parking spaces required under 9-104-J1.

It should be noted that the petitioner is presently pursuing a Map Amendment to rezone the underlying parcel from the O-2 to the B-1 zoning district. This request was unanimously recommended for approval at the Plan Commission meeting of December 8, 2010. Nothing has changed nor is going to change but the zoning district the building is located in. The request for Map Amendment is being done to legally permit the uses which they feel are more suitable to this location given that the building has always contained retail uses and is directly across the street from Gateway Square which is zoned B-1. Though technically not required, the Village Attorney felt that the applicants should ask the ZBA to consider granting these variations as an effort to minimize the number of non-conformities going into the new district.

It should also be noted that no new non-conformities will be created and that overall, the number of existing non-conformities will actually be decreased by the rezoning of this parcel and the consideration of this request.

This property is located in the O-2 Office District in the Village of Hinsdale and is located on the west side of York Road between Ogden and Fuller. The property has a frontage of approximately 95', a minimum depth of 158.52', and a total square footage of approximately 30,144. The maximum FAR is approximately .24.

cc: Dave Cook, Village Manager  
Zoning file V-09-10

## **FINAL DECISION**

### **VILLAGE OF HINSDALE ZONING BOARD OF APPEALS PETITION FOR VARIATION**

- Zoning Calendar:** V-07-10
- Petitioner:** Monica Ashe (Knapp)
- Meeting held:** Public Hearing was held on Wednesday, January 19, 2011 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 November 4, 2010.
- Premises Affected:** Subject Property is commonly known as 217 Ravine Road, Hinsdale, Illinois and is legally described as:
- LOT 154 (EXCEPT THE EAST 125.4 FEET) IN THOS. S. COUSINS' SUBDIVISION, BEING A SUBDIVISION IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 12, 1924 AS DOCUMENT 176276, IN DUPAGE COUNTY, ILLINOIS.
- Subject:** In this application for variation, the applicant requests relief from the building maximum building coverage requirements in 3-110-F1 for the construction of a detached two car garage. The Code limits combined coverage of both principle and accessory structures to a maximum of 25%. The request is for an increase of 2.5% or 197.5 square feet.
- Facts:** This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the north side of Ravine Rd. between Forest and Elm. The property has a frontage of approximately 60', a depth of approximately 131.5', and a total square footage of approximately 7,890. The maximum FAR is approximately 3,072.5 square feet and the maximum allowable building coverage is 25% or approximately 1,972.5 square feet.
- The specific ordinance provisions from which a variation is sought is 3-110(F1).
- The request is being driven due to the fact that the existing one car attached garage is essentially unusable due to its condition and location in proximity to the existing driveway.

It should be noted that the Zoning Board of Appeals does not have the authority to grant increases to Building Coverage in residential districts at this time. As such, only a positive recommendation from the Zoning Board of Appeals would move on to the Village Board of Trustees for consideration.

**Action of the Board:**

Members heard testimony from the applicant and their architect. The focus of discussion was tied to the existing garage and the lack of utility it presently provides the owner and the impact that a new detached garage might have on adjacent properties. There was discussion on the existing landscape screening in place, the height of the proposed garage and how drainage would be handled. Members agreed that the standards for variation set forth in 11-503 (F) of the Hinsdale Zoning Code had been met.

A motion to recommend approval to the Board of Trustees was made by Member Neiman and seconded by Member Braselton.

**AYES:**

Members Marc Connelly, Gary Moberly, Debra Braselton, Bob Neiman, Keith Giltner, John Callahan, and Chairman Bill Haarlow

**NAYS:**

None

**ABSTAIN:**

None

**ABSENT:**

None

**THE HINSDALE ZONING BOARD OF APPEALS**

---

Chairman Bill Haarlow

Filed this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, with the office of the Building Commissioner.

## **FINAL DECISION**

### **VILLAGE OF HINSDALE ZONING BOARD OF APPEALS PETITION FOR VARIATION**

**Zoning Calendar:** V-08-2011

**Petitioner:** John Roxas

**Meeting held:** Public Hearing was held on Wednesday, January 19, 2011 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 November 22, 2010.

**Premises Affected:** Subject Property is commonly known as 337 E. Chicago Ave., Hinsdale, Illinois and is legally described as:

LOT 1 IN ROXAS CONSOLIDATION OF PART OF LOT 1 IN BLOCK 10 IN ALFRED WALKER'S ADDITION TO THE TOWN OF HINSDALE, RECORDED JUNE 5, 1868 AS DOCUMENT 9611. (EXCEPT THAT PART DEEDED TO THE CHICAGO, BURLINGTON AND QUINCY RAILROAD, RECORDED MAY 14, 1890 AS DOCUMENT 42694), AND PART OF VACATED CHICAGO AVENUE, PER MAP OF ALTERATION RECORDED APRIL 13, 1876 AS DOCUMENT 21552, AND ORDINANCE RECORDED JULY 19, 1888 AS DOCUMENT 39591, ALL LYING WEST OF THE WEST LINE OF OAK STREET, IN THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS

**Subject:** In this application for variation, the applicant requests relief from the sideyard setback requirements set forth in 9-107E for the construction of a residential recreational facility (sport court). The Code requires a 10' setback in this case and the specific relief requested in this case is 2.76'.

**Facts:** This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the north side of Chicago Ave. between Oak and Orchard. The property has a frontage of approximately 100', an average depth of 211', and a total square footage of approximately 21,113. The maximum FAR

is approximately 6,223 square feet and the maximum allowable building coverage is 25% or approximately 1,556 square feet.

The specific ordinance provision from which a variation is sought is 9-107E.

**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 not been met primarily with respect to the request not being self created.

A motion to approve was made by Member John Callahan and seconded by Member Gary Moberly.

**AYES:** Member John Callahan

**NAYS:** Members Marc Connelly, Gary Moberly, Debra Braselton, Bob Neiman, Keith Giltner, Chairman Bill Haarlow

**ABSTAIN:** None

**ABSENT:** None

#### THE HINSDALE ZONING BOARD OF APPEALS

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Chairman Bill Haarlow

Filed this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, with the office of the Building Commissioner.