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**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
August 15, 2012**

1. CALL TO ORDER

Chairman Debra Braselton called the meeting of the Zoning Board of Appeals to order on Wednesday, August 15, 2012 at 7:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. ROLL CALL

Present: Chairman Debra Braselton, Vice-Chairman Bob Neiman, Members Gary Moberly, Keith Giltner and John Callahan

Absent: Members Marc Connelly and Roddy Biggert

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

3. APPROVAL OF MINUTES – July 18, 2012

There being no corrections to the draft minutes, Member Moberly moved **approval of the minutes of the Meeting of July 18, 2012.** Member Callahan seconded the motion.

AYES: Members Moberly, Neiman, Giltner, Callahan, Chairman Braselton

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Biggert

Motion carried.

4. APPROVAL OF FINAL DECISION

a) V-04-12, 646 W. Maple

There being no changes to the draft final decision, Member Moberly moved approval of V-04-12, 646 W. Maple. Member Callahan seconded the motion.

AYES: Members Moberly, Neiman, Giltner, Callahan, Chairman Braselton

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Biggert

Motion carried.

5. RECEIPT OF APPEARANCES - None

6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO MAKE PUBLIC COMMENT OF A GENERAL NATURE - None

1 **7. PRE-HEARING AND AGENDA SETTING - None**
2

3 **8. PUBLIC HEARINGS**

4 a) **V-05-12, 20 E. Glendale**

5 All persons wishing to speak were sworn in by Ms. Bono. Dr. Ravi
6 Yalamanchi, applicant and owner of the property, addressed the Board to
7 request side yard setback relief on the north side of his property. He
8 currently lives downtown, is a physician at Hinsdale hospital and wants to
9 move his family to this residence. He purchased the property on May 31st,
10 looked into renovating the existing building, but found it to be cost
11 prohibitive. He explained that if he were to conform to zoning code
12 specifications, which require use of the block average, the resulting building
13 would only be 24' wide. He believes this would not fit aesthetically in the
14 neighborhood. He is asking the Board to grant 31.9' of relief to the required
15 corner side yard setback of 51.9'. He referenced a similar case that went
16 before the Board at 433. S. Washington. He has spoken with his neighbors
17 and they are amenable to his proposed home.

18 He addressed the standards of variation, stating his belief that the unique
19 physical condition of this lot was created in 1926, when the lot was divided in
20 an east/west direction. Therefore, this is not a self-created hardship. His goal
21 is to build a livable home that he and his family will reside in for many years.
22 He does not believe this is economic or special privilege. He will build a home
23 to blend with the neighborhood; in harmony with specific codes and the
24 essential character of area.
25

26 **Mr. Rick Schwartz of 940 N. Washington Street** addressed the Board
27 stating he lives south of the lot in question. He stated that the current house
28 is dilapidated and an eyesore; he believes Mr. Yalamanchi's plan makes sense
29 in terms of his lot line and the other adjacent neighbor. He agrees an 85' lot
30 would be a challenge to work with and he endorses the proposed variation as
31 it considers the neighbors.
32

33 **Mr. Warren Stewart, prior owner of property,** addressed the Board at
34 length stressing that he is a preservationist and would like to see the house
35 saved. He provided the Board with aerial views and the plans he submitted to
36 the Village several years ago when he planned to renovate the property. He
37 bought the home in 2006, and subsequently negotiated a settlement with Bank
38 of American in 2009, when they took over the property. He blames the bank
39 for the poor condition of the property at this time. He would like to meet with
40 Mr. Yalamanchi about preserving the home as a landmark. He provided
41 personal background information stating he is a real estate person and a
42 renovator in the Oak Park/River Forest area, and has received awards and
43 accolades for his work. He doesn't see any reason to add on to or take down
44 this home and believes there is historic merit to saving the house.
45

46 **Mr. Graham Hershman of 949 N. Washington** spoke to the Board in
47 support of Mr. Yalamanchi's proposal. He did, however, express concerns

1 about drainage problems in the area and described his personal experiences
2 with this issue. He asked that the Village consider this aspect of the project
3 as part of the zoning variance. Member Neiman stated that he understands
4 that when plans are submitted the architect must consider drainage and if the
5 Village sees anything upon review, remedial plans can be included in the
6 design. Mr. McGinnis confirmed, stating that engineering reviews in the last
7 six years are very extensive. The DuPage County storm water ordinance has
8 become more stringent and Village staff is very cognizant of localized drainage
9 problems.

10
11 Mr. Stewart claims the lot is less than 10,000 feet but that Mr. Yalamanchi's
12 survey indicates it is over 1,100 feet and he wants everybody to play by the
13 same rules. Chairman Braselton pointed out that the ZBA is not able to
14 recalculate surveys or interpret them. We have to go by what the Illinois
15 licensed land surveyor certified and what was submitted with this application.
16 Member Neiman moved to **close the public hearing on V-05-12, 20 E.
17 Glendale**. Member Giltner seconded the motion.

18
19 **AYES:** Members Moberly, Neiman, Giltner, Callahan, Chairman Braselton

20 **NAYS:** None

21 **ABSTAIN:** None

22 **ABSENT:** Members Connelly and Biggert

23
24 Motion carried.

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27 **D E L I B E R A T I O N**

28
29 Member Neiman began discussion stating that he believes the application meets
30 all standards for variance and that he appreciates when an applicant reaches out
31 to neighbors from whom he has heard no objections. Further, he appreciates Mr.
32 Stewart's opinions, however, the home is not currently landmarked and the issues
33 raised by Mr. Stewart are not part of the applicable standards by which the
34 Board must approve or deny the application. Trustee Moberly stated he is in
35 favor of granting the variance and although it would be great to keep this home,
36 it is an unusual lot and does not conform to improved properties in the area.
37 Chairman Braselton also remarked on the unusual division of the lot. Member
38 Callahan thanked Mr. Stewart for his bravery in addressing the Board, but
39 pointed out that the ZBA cannot tell current owners of non-landmarked houses
40 what to do with their properties. Member Moberly moved to **approve the
41 matter known as V-15-12, 20 E. Glendale**. Member Neiman seconded the
42 motion.

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44 **AYES:** Members Moberly, Neiman, Giltner, Callahan

45 **NAYS:** None

46 **ABSTAIN:** None

47 **ABSENT:** Members Connelly and Biggert

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Motion carried.

9. NEW BUSINESS – None

10. UNFINISHED BUSINESS - None

11. ADJOURNMENT

With no further business coming before the Zoning Board of Appeals, Member Callahan made a motion to **adjourn the meeting of the Zoning Board of Appeals of August 15, 2012.** Member Connelly seconded the motion.

- AYES:** Members Moberly, Neiman, Giltner, Callahan
- NAYS:** None
- ABSTAIN:** None
- ABSENT:** Members Connelly and Biggert

Motion carried.

Chairman Braselton declared the meeting adjourned at 8:11 p.m.

Christine M. Bruton
Village Clerk

Approved: _____

FINAL DECISION

VILLAGE OF HINSDALE ZONING BOARD OF APPEALS PETITION FOR VARIATION

- Zoning Calendar:** V-05-12
- Petitioner:** Ravi & Sudha Yalamanchi
- Meeting held:** Public Hearing was held on Wednesday, August 15, 2012 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 July 26, 2012.
- Premises Affected:** Subject Property is commonly known as 20 Glendale, Hinsdale, Illinois and is legally described as:
- THE NORTH 85 FEET OF LOT 8 AND THE NORTH 85 FEET OF LOT 7 (EXCEPT THE WEST 22 FEET THEREOF) BLOCK 3 IN GLENDALE SUBDIVISION, A SUBDIVISION OF PART OF THE EAST ½, SOUTHWEST ¼ OF SECTION 36, TOWNSHIP 39 NORTH, RANGE 11, ALSO OF THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID GLENDALE SUBDIVISION RECORDED SEPTEMBER 8, 1926, AS DOCUMENTS 220961, IN DUPAGE COUNTY, ILLINOIS
- Subject:** In this application for variation, the applicant requests relief from the corner sideyard requirements set forth in section 3-110 (D)(2)(a)(footnote 8) for the construction of a new single family home. The request is for 31.9' of relief to the required corner sideyard setback of 51.9'.
- Facts:** This property is located in the R-4 single-family zoning district in the Village of Hinsdale and is located on the southwest corner of Glendale and Washington. The property has a frontage of approximately 85', a depth of approximately 137', and a total square footage of approximately 11,115. The maximum FAR is .24 +1,200 square feet or approximately 3,868 square feet. The maximum building coverage is 25% or approximately 2,779 square feet. The total lot coverage is 50% or approximately 5,558 square feet.
- Action of the Board:** Members discussed the request and agreed that the standards for variation set forth in 11-503 (F) of the Hinsdale Zoning Code had been met and recommended approval. The primary reason was due to the original subdivision of this property and its configuration opposite the layout of the rest of the block. Taking

the block average to set the corner sideyard setback would result in a buildable area of only 23.6'. The fact that this is a conforming lot requires that the block average be used to calculate both the front as well as the required corner sideyard. If it was a non-conforming lot, as are most in town, the corner sideyard setback would be prescriptive and substantially less than what the block average would dictate.

A motion to recommend approval was made by Member Moberly and seconded by Member Neiman.

AYES: Moberly, Neiman, Giltner, Callahan, and Chairman Braselton

NAYS: None

ABSTAIN: None

ABSENT: Connelly Biggert


THE HINSDALE ZONING BOARD OF APPEALS

Chairman Debra Braselton

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

MEMORANDUM

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

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

DATE: September 13, 2012

RE: Zoning Variation – V-06-12; 737 South Elm

In this application for variation, the applicant requests relief from the corner sideyard requirements set forth in section 3-110 (D)(2)(a)(footnote 8) for the construction of a new single family home. The request is for 85.52' of relief to the required corner sideyard setback of 118.52'.


It should be noted that because this is a conforming lot, the setbacks for both the front and corner side are set by block average. Due to the fact that there are only three lots on the 8th Street frontage, all of the properties must be utilized to determine block average with no ability to throw out the high and low as is typically the case. Due to the setback of the previously demolished home at 325 E. 8th Street, the subject property is left with just 15.69' of lot width to work with.

This property is located in the R-1 single-family zoning district in the Village of Hinsdale and is located on the northeast corner of Elm and 8th Street. The property has a frontage of approximately 150', a depth of approximately 200', and a total square footage of approximately 30,000. The maximum FAR is .20+2,000 square feet or approximately 8,000 square feet. The maximum building coverage is 25% or approximately 7,500 square feet. The total lot coverage is 50% or approximately 15,000 square feet.

cc: Dave Cook, Village Manager
Zoning file V-6-12

MEMORANDUM

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

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

DATE: September 13, 2012

RE: Zoning Variation – V-07-12; 126 S. Clay

In this application for variation, the applicant requests relief from the interior sideyard requirements set forth in section 3-110 (D)(2)(b) for the reconstruction of a two car garage. The request is for 3.67' of relief to the required interior sideyard setback of 6'.

It should be noted that this request is being driven primarily due to the fact that there is a private alley/drive along the rear of this property that runs from Hinsdale Ave. to Second Street and serves several properties on both Clay and Madison. If the applicant locates their garage within the rear 20% of the lot in order to maintain a 2' sideyard setback, they will severely impede the other residents' ability to get to their garages, as a good portion of the private alley/drive is on the applicants property. Separately, a portion of this property is in floodplain. To try and replace the garage in its present location would be very expensive due to the requirements for compensatory storage. This is why the applicant chose to build it on the south side of the property onto higher ground and as far out of the floodplain as possible. The further into the floodplain the applicant builds the garage, the more compensatory storage will have to be provided. Additionally, there are existing utility lines running over the existing garage that would have to be relocated if the garage was to be rebuilt in its present location.

This property is located in the R-4 single-family zoning district in the Village of Hinsdale and is located on the west side of Clay Street between Hinsdale Ave. and Second Street. The property has a frontage of approximately 50', a depth of approximately 170', and a total square footage of approximately 8,500. The maximum FAR is .25+1,100 square feet or approximately 3,225 square feet. The maximum building coverage is 25% or approximately 2,125 square feet. The total lot coverage is 60% or approximately 5,100 square feet.

cc: Dave Cook, Village Manager
Zoning file V-7-12