1		VILLAGE OF HINSDALE
2		ZONING BOARD OF APPEALS
3		MINUTES OF THE MEETING
4		October 16, 2013
5		
6	T.	CALL TO ORDER
7 8		Chairman Debra Braselton called the regularly scheduled meeting of the
9		Zoning Board of Appeals to order on Wednesday, October 16, 2013 at 7:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue,
10		Hinsdale, Illinois.
11		illinguale, illinois.
12		
13	2.	ROLL CALL
14	-	Present: Chairman Debra Braselton, Members Marc Connelly, Gary
15		Moberly, Bob Neiman and Rody Biggert
16		
17		Absent: Member John Callahan
18		
19		Also Present: Director of Community Development/Building
20		Commissioner Robb McGinnis, Village Clerk Christine Bruton, Court
21		Reporters Kathleen Bono and Tara Zeno
22		
23		
24	3.	APPROVAL OF MINUTES - October 7, 2013
25		There being no corrections to the draft minutes, Member Connelly moved
26		to approve the minutes of the special meeting of October 7, 2013.
27		Member Biggert seconded the motion.
28		
29		AYES: Members Connelly, Moberly, Neiman, Giltner, Biggert and
30		Chairman Braselton
31		NAYS: None
32		ABSTAIN: None
33		ABSENT: Member Callahan
34		
35		Motion carried.
36		
37	A	APPROVAL OF FINAL DECISION - None
38	4.	AFFROVAL OF FINAL DECISION - None
39 40		
40 41	5	RECEIPT OF APPEARANCES
41 42	υ.	RECEII I OF ALL EARANCES
43		
44		
1-1		

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

7. PRE-HEARING AND AGENDA SETTING

a) V-12-13, 206 N. Washington Street

Mr. Michael Abraham, architect for the project, addressed the Board. He explained his client want to maintain the existing garage and house as is, but is looking for additional square footage in terms of FAR to accomplish the proposed plan. He introduced the site plan of the existing structures and the proposed changes. The existing garage is an odd shape; 18' feet deep in a north/south direction and large at 712' square feet. It is not conducive to parking cars entering from the west or south. The proposed additions include a wraparound porch, a kitchen and car port on the west side. To develop a more contemporary plan they attached a garage or car port to the north side of the structure. If they have an open car port they are 238' square feet over the allowable square footage. They would like the garage to be enclosed, but in so doing they lose the bonus footage of the existing detached garage and end up 1,052' square feet over the allowable.

Chairman Braselton asked for alternatives to be presented at the public hearing. Mr. Abraham said they could get rid of the old garage but would like to keep it because it 'goes with' the vintage of the house. Member Giltner confirmed it is currently being used as a garage and would be used as garage space after. Member Neiman stated it would be helpful for the Board if Mr. Abraham could expound on why this proposal meets the criteria necessary for approval. The public hearing was set for November 20th.

8. PUBLIC HEARINGS

a) V-11-13, 125 W. 2nd Street

All persons participating in the public hearing were sworn in by the court reporter.

Mr. Steven Schmitt, of Kolbrook Design Architects, addressed the Board on behalf of his client Ms. Christina Steele. Mr. Schmitt explained that the parking lot requests have already been reviewed by the Plan Commission; that part of the proposal met opposition and consequently those variation requests are withdrawn. They are here tonight solely for rear building setback relief. They are trying to reuse the existing structure; there will be a full overhaul to the exterior adding a rear addition 7' feet past the existing building and five feet into the required setback. The new entrance will be at the lowest grade of the building

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which will facilitate the handicap entrance; additionally they will install an elevator according to the ADA requirement. The reason they are extending the building is because otherwise it is too small for Ms. Steele's business. To the north of the property is a residential looking Allowable setback is 25' feet, they are asking for 5.5' foot business. variance resulting in a 19.5' rear vard setback. Member Neiman asked him to address objections from neighbors stating this will change the essential character of the area. Mr. Schmitt believes the aesthetics of the proposed building are the same as what currently exists and have a residential vibe. They extended to the back because this is a residential and business area and this was the least intrusive to the neighborhood. It was noted that signage has not yet been determined. Mr. Schmitt said this would not increase congestion. Further, at the Plan Commission public hearing neighbors commented that the parking isn't a problem currently and they don't believe additional street parking would be a problem. Onsite parking is not required. Parking discussion followed. The size of the exam rooms are 8' x 10' and 9' x 10'. The client wants to occupy the building as soon as possible, so they will do this in stages; first the building and then the parking. Discussion followed regarding any issues with withdrawing part of the relief requested constituting a change to the original application. Mr. McGinnis said any new application would have a different case number. The certified mailing included the parking requests; another mailing was not done when four of the requests relative to parking were withdrawn. Green space and openness were the expressed concerns of two letters from neighbors.

Ms. Jean Carey of 204 S. Lincoln addressed the Board stating she originally objected to the parking variance because of the loss of green space. She commented that the building currently holds a small attorney's office with a limited number of clients. This proposal is a much larger business, but it's still a residential area. However, the area street already has parking meters installed, and most are not used during the day. Therefore, she supports the request before the Board tonight.

Member Moberly moved to close the Public Hearing for V-11-13, 125 W. 2nd Street. Member Giltner seconded the motion.

Zoning Board of Appeals Meeting of October 16, 2013 Page 4 of 5

AYES: Members Connelly, Moberly, Neiman, Giltner, Biggert and

Chairman Braselton

NAYS: None ABSTAIN: None

ABSENT: Member Callahan

Motion carried.

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DELIBERATIONS

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Member Moberly pointed out that the Plan Commission has reviewed the parking congestion issue. Member Neiman believes the Board must agree the petitioner has met the criteria of changing the essential character of the area. Will the increased parking needs affect the area; he is concerned if there's going to be 4-8 employees and 9 patients at a time there could be as many as seventeen additional cars parking at a time. He did concede, however, that the parking is not before us, we are here for five more feet of rear setback. Discussion followed regarding parking versus the character of the area. Member Giltner wondered what the hardship is in the need to expand a Member Biggert said we are speculating; we can't know the future effect of this building. He also pointed out that if we deny the request, and they build the new offices within the existing footprint, there would still be an impact on parking. Further, it has been indicated that staff can be parked offsite. It was noted there was no neighbor opposition to this proposal and that this is a specialty office, intended as small offices that are compatible with residences and maintain the residential character in older areas of the Village adjacent to the central business district. Chairman Braselton read the code with respect to specialty offices. The Board agreed that the design of the building accomplishes this objective. Member Moberly moved to approve the variation request known as V-11-13, 125 W. 2nd Street. Member Biggert seconded the motion.

32 33 34

AYES: Members Connelly, Moberly, Neiman, Biggert and Chairman Braselton

35 NAYS: Member Giltner

36 ABSTAIN: None

ABSENT: Member Callahan

37 38 39

Motion carried.

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Zoning Board of Appeals Meeting of October 16, 2013 Page 5 of 5

1	9.	NEW BUSINESS - None
2		
3	10.	UNFINISHED BUSINESS – None
4		
5	11.	ADJOURNMENT
6		With no further business before the Zoning Board of Appeals, Member
7		Biggert made a motion to adjourn the meeting of the Zoning Board of
8		Appeals of October 16, 2013. Member Moberly seconded the motion.
9		
10		AYES: Members Connelly, Moberly, Neiman, Giltner, Biggert and
11		Chairman Braselton
12		NAYS: None
13		ABSTAIN: None
14		ABSENT: Member Callahan
15		
16		Motion carried.
17		
18		Chairman Braselton declared the meeting adjourned at 8:20 p.m.
19		
20		, · · · · · · · · · · · · · · · · · · ·
21		Approved:
22		Christine M. Bruton
23		Village Clerk
24		
25		

FINAL DECISION

VILLAGE OF HINSDALE ZONING BOARD OF APPEALS PETITION FOR VARIATION

Zoning Calendar:

V-11-13

Petitioner:

Kolbrook Design, Inc.

Meeting held:

Public Hearing was held on Wednesday, October 16, 2013 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 September 26, 2013.

Premises Affected:

Subject Property is commonly known as 125 W. Second Street, Hinsdale, Illinois and is legally described as:

THE WEST ½ OF LOTS 7 AND 10, IN BLOCK 2 IN J.L. CASE'S ADDITION TO HINSDALE, BEING A SUBDIVISION IN THE NORTHWEST ¼ 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 DU PAGE COUNTY, ILLINOIS

Subject:

In this application for variation the applicant requested relief from Section 6-111D to allow a rear (north) yard setback of 19'-6", in lieu of the 25'-0" required.

This relief is being requested in order to construct an addition to an existing 2-story commercial building at the above mentioned address.

Facts:

This property is located in the O-1 Specialty Office District in the Village of Hinsdale and is located on the northeast corner of Grant and Second Street. The property is approximately 87'x100' and has a total square footage of approximately 8,720. The maximum FAR is .40 or approximately 3,488 square feet and the maximum allowable building coverage is 35% or approximately 3,052 square feet.

Action of the Board:

Member Neiman asked about the parking issue and how this played into the essential character of the area. Member Connelly responded that this test would not be asked of a family that had 6 teenagers that were driving and whether or not that had any impact on the essential character of the neighborhood. Member Biggert added that this was not a question before them. He also

stated that any potential impact on the area was speculative and that there were other bodies that would deal with those parking issues if and when they became an issue. Members noted that none of the neighbors objected to the request. 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. A motion to recommend approval was made by Member Moberly and seconded by Member Biggert. Members Connelly, Moberly, Neiman, Biggert, and Chairman

AYES:

Braselton

NAYS:

Member Giltner

ABSTAIN:

None

ABSENT:

Member Callahan

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: November 7, 2013

RE: Zoning Variation – V-13-13, 629 S. Garfield

In this application for variation, the applicant requests relief from the driveway requirements set forth in 9-104-F3 for the construction of a circular driveway. The code requires that lots be a minimum of 75' wide to be allowed two curb cuts. The subject lot is 73.8' wide.

This property is located in the R-1 Single family Residential District in the Village of Hinsdale and is located on the east side of Garfield Street between Sixth and Seventh. The property has a frontage of approximately 73.8', an average depth of 206.8', and a total square footage of approximately 15,262. The maximum FAR is approximately 3,663 square feet and the maximum allowable building coverage is 25% or approximately 3,815 square feet.

cc: Kathleen Gargano, Village Manager

Zoning file V-13-13

VILLAGE OF HINSDALE APPLICATION FOR VARIATION

COMPLETE APPLICATION CONSISTS OF THE (10) COPIES (All materials to be collated) INTERGREES: TRESIDENTHAL VARIATION <u>\$850.00</u>

NAME OF APPLICANT(S):	Bryan Bomba
ADDRESS OF SUBJECT PR	OPERTY: 629 S. Garfield
TELEPHONE NUMBER(S):	
	d
If Applicant is not property own	ner, Applicant's relationship to property owner.
DATE OF APPLICATION:	11/5/2013



SECTION I

Please complete the following:

Owner Nam	e, address, and telephone number of owner: Bryan Bomba
The state of the s	
The second secon	
Trustee Discl	osure. In the case of a land trust the name, address, and telephone number of
all trustees an	d beneficiaries of the trust: N/A
Applicant. Na	ame, address, and telephone number of applicant, if different from owner, and
applicant's in	terest in the subject property: N/A
Subject Prope	erty. Address and legal description of the subject property: (Use separate sheet
for legal desc	ription if necessary.) 629 S. Garfield.
See attac	hed plat of survey for legal description.
Consultants.	Name and address of each professional consultant advising applicant with
respect to this	application:
a Attorness	
a. Auomey.	Dave Johnson & Associates 630-752-8600
b. Engineer:	
c	·
d.	

6.	Village Personnel. Name and address of any officer or employee of the Village with an
	interest in the Owner, the Applicant, or the Subject Property, and the nature and extent of
	that interest:

a	N/A	
b.	-	

Neighboring Owners. Submit with this application a list showing the name and address of each owner of (1) property within 250 lineal feet in all directions from the subject property; and (2) property located on the same frontage or frontages as the front lot line or corner side lot line of the subject property or on a frontage directly opposite any such frontage or on a frontage immediately adjoining or across an alley from any such frontage. See attachment "Neighboring Owners Sheets 1 & 2"

After the Village has prepared the legal notice, the applicant/agent must mail by certified mail, "return receipt requested" to each property owner/occupant. The applicant/agent must then fill out, sign, and notarize the "Certification of Proper Notice" form, returning that form and <u>all</u> certified mail receipts to the Village.

- 8. <u>Survey</u>. Submit with this application a recent survey, certified by a registered land surveyor, showing existing lot lines and dimensions, as well as all easements, all public and private rights-of-way, and all streets across and adjacent to the Subject Property.
- 9. <u>Existing Zoning</u>. Submit with this application a description or graphic representation of the existing zoning classification, use, and development of the Subject Property, and the adjacent area for at least 250 feet in all directions from the Subject Property.
- 10. <u>Conformity</u>. Submit with this application a statement concerning the conformity or lack of conformity of the approval being requested to the Village Official Comprehensive Plan and the Official Map. Where the approval being requested does not conform to the Official Comprehensive Plan or the Official Map, the statement should set forth the reasons justifying the approval despite such lack of conformity.
- 11. <u>Zoning Standards</u>. Submit with this application a statement specifically addressing the manner in which it is proposed to satisfy each standard that the Zoning Ordinance establishes as a condition of, or in connection with, the approval being sought.
- 12. <u>Successive Application</u>. In the case of any application being filed less than two years after the denial of an application seeking essentially the same relief, submit with this application a statement as required by Sections 11-501 and 11-601 of the Hinsdale Zoning Code. N/A

SECTION II

When applying for a variation from the provisions of the Zoning Ordinance, you must provide the data and information required above, and in addition, the following:

			~! 7 -		_
Section 9-104 An interior or	(ii)(A)(F)(3 corner lot)(e)(ii)(A) (having a wid	Circular L th of 75 1	rives: feet or	Interio more ma
a circular driv	reway with 2	curb cuts le	ocated in	the ac	tual fr
yard.					
Variation Sought. The feature or features of the (Attach separate sheet)	ne proposed use, on t if additional spa	construction, or devace is needed.)	elopment that	require a	variation:
A one foot var				ls for	75 feet.
My property has	3 74 feet (7	3.8' per sur	vey).		
			,		
			n of the provis		
Minimum Variation.				n ordour	
Minimum Variation. A Ordinance that would b (Attach separate	be necessary to pe			on, or deve is	needed.)
Ordinance that would be (Attach separate	be necessary to pe sheet	rmit the proposed u if additional	se, construction space		
Ordinance that would l	be necessary to pe sheet	rmit the proposed u if additional	se, construction space		
Ordinance that would be (Attach separate	be necessary to pe sheet	rmit the proposed u if additional	se, construction space		
Ordinance that would be (Attach separate	be necessary to pe sheet	rmit the proposed u if additional	se, construction space		

specifically address the following requirements for the grant of a variation:

- (a) <u>Unique Physical Condition</u>. 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 of 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 lot owner.
- (b) 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, for which no compensation was paid.
- (c) <u>Denied Substantial Rights</u>. 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.
- (d) 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.
- (e) <u>Code and Plan Purposes</u>. The variation would not result in a use or development of the Subject Property that would not be in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.
- (f) <u>Essential Character of the Area</u>. The variation would not result in a use or development of the Subject Property that:
 - (1) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use development, or value of property of improvements permitted in the vicinity; or
 - (2) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
 - (3) Would substantially increase congestion in the public streets due to traffic or parking; or

	(4) Would unduly increase the danger of flood or fire; or						
	Would unduly tax public utilities and facilities in the area; or						
	(6) Would endanger the public health or safety.						
(g)	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 Project. (Attach separate sheet if additional space is needed.)						
	There is no other reasonable means to solve these sa	Eety —					
	and congestion concerns other than a circular drivew	ay.					
							

SECTION III

In addition to the data and information required pursuant to any application as herein set forth, every Applicant shall submit such other and additional data, information, or documentation as the Village Manager or any Board of Commission before which its application is pending may deem necessary or appropriate to a full and proper consideration and disposition of the particular application.

- 1. A copy of preliminary architectural and/or surveyor plans showing the floor plans, exterior elevations, and site plan needs to be submitted with each copy of the zoning petitions for the improvements.
- 2. The architect or land surveyor needs to provide zoning information concerning the existing zoning; for example, building coverage, distance to property lines, and floor area ratio calculations and data on the plans or supplemental documents for the proposed improvements.

SECTION IV

- 1. <u>Application Fee and Escrow</u>. Every application must be accompanied by a non-refundable application fee of \$250.00 plus an additional \$600.00 initial escrow amount. The applicant must also pay the costs of the court reporter's transcription fees and legal notices for the variation request. A separate invoice will be sent if these expenses are not covered by the escrow that was paid with the original application fees.
- 2. Additional Escrow Requests. Should the Village Manager at any time determine that the escrow account established in connection with any application is, or is likely to become, insufficient to pay the actual costs of processing such application, the Village Manager shall inform the Applicant of that fact and demand an additional deposit in an amount deemed by him to be sufficient to cover foreseeable additional costs. Unless and until such additional amount is deposited by the Applicant, the Village Manager may direct that processing of the application shall be suspended or terminated.
- Establishment of Lien. The owner of the Subject Property, and if different, the Applicant, are jointly and severally liable for the payment of the application fee. By signing the applicant, the owner has agreed to pay said fee, and to consent to the filing and foreclosure of a lien against the Subject Property for the fee plus costs of collection, if the account is not settled within 30 days after the mailing of a demand for payment.

SECTION V

The owner states that he/she consents to the filing of this application and that all information contained herein is true and correct to the best of his/her knowledge.

Name of Owner:	Bryan Bomba			
Signature of Oxymory				
Signature of Owner:	· · · · · · · · · · · · · · · · · · ·			
Name of Applicant:	Bryan Bomba			
Q.4. 12				
Signature of Applicant:				
Date:	11/5/2013			

629 S. Garfield Hinsdale IL Application For Variation

10. Conformity Statement

The nature and character of the subject property and immediate surroundings are completely single family detached residential in appearance and use. The approval being requested does not deviate from this appearance and use in any way.

11. See #5 below

Section II Number 5 Standards For Variation

Reasons supporting the grant of the requested variation.

Safety.

- It would be safer for the drivers along Garfield, the pedestrians along Garfield and the drivers in my driveway if a circular driveway were permitted. A circular driveway would those exiting my driveway to have greater visibility of cars and pedestrians, thereby creating a safer environment for all.
- If a variation for a circular driveway is not granted, cars would be backing out of my driveway into Garfield. This would decrease safety and increase traffic congestion.
- According to the Village's engineer, there are 7,000 (seven thousand) cars per day which travel on the segment of Garfield in front of 629 S. Garfield.
- There are many large tree trunks (particularly to the north) which would partially block the visibility of drivers backing out of a driveway. This reduces safety.
- I have 2 teenaged children/drivers living with me. The village would be a safer place if they had a circular driveway to use.
- My mother and my mother-in-law, who are 75 and 74, live with me for extended periods of time. My mother-in-law is an oncology patient of Dr Sharma in Hinsdale, so I expect her residency with me to be permanent. The safety of the grandmothers and the drivers/pedestrians on Garfield would be improved if you were to allow a circular driveway.
- Given the excessive traffic flow on South Garfield, it would be in the best interest of the drivers and pedestrians to allow this safer and more efficient ingress/egress via a circular driveway. Cars which back out of a driveway are slower-moving thereby increasing congestion.

Precedent

 While I realize all scenarios are unique as they relate to zoning variations, there was a similarsized lot located at 938 S. Grant where a similar variation was allowed for similar reasons.

Standards for Variation

- (a) Unique Physical Condition. This request is safety-related as the lot is one foot too narrow.
- (b) Not self-created.
- (c) Denied Substantial Rights. The five drivers in my family would be subject to decreased safety each time they drive out of the driveway in the event that this variation were denied.
- (d) Not Merely Special Privilege. I am not seeking special privilege, just safe and efficient driveway egress
- (e) Code and Plan Purposes. The result of the allowance of this variation is entirely consistent with neighboring properties.
- (f) Essential Character of the Area
 - 1. The variation would be in the public's best interest as drivers and pedestrians would have a safer environment where drivers would be enjoying greater visibility driving forward
 - 2. This variation does not impair light and air in any way
 - 3. This requested variation does not increase congestion. Rather, it relieves congestion as cars would not be backing into Garfield
 - 4. Proposed variation does not increase danger of flood or fire
 - 5. Proposed variation does not tax utilities or facilities
 - 6. Proposed variation increases public safety



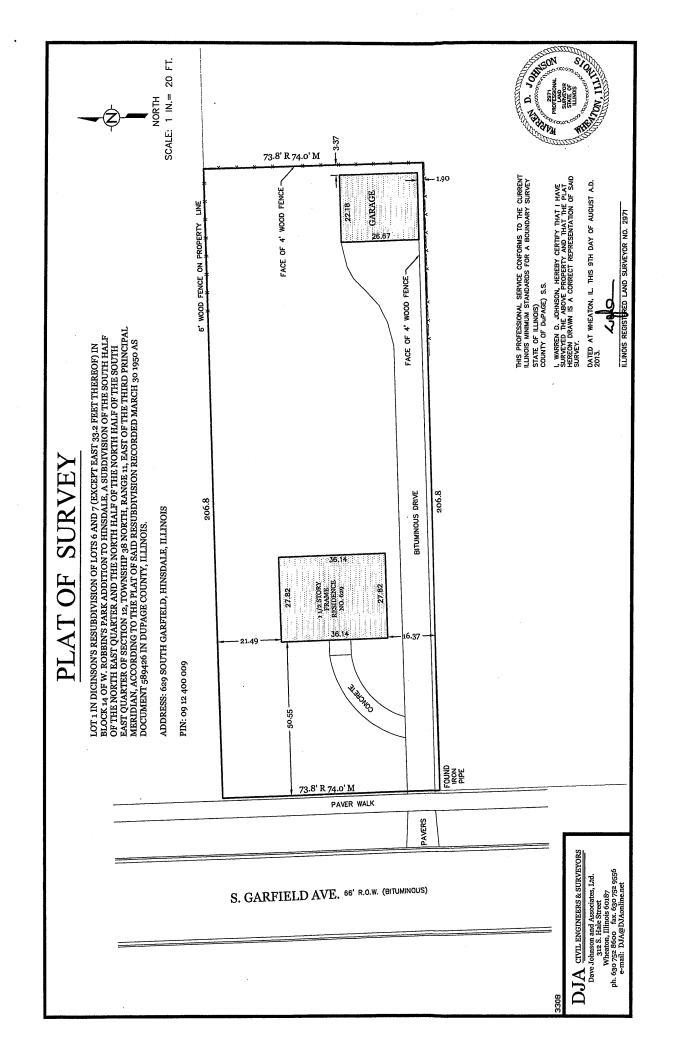
Neighboring Owners Sheet #1

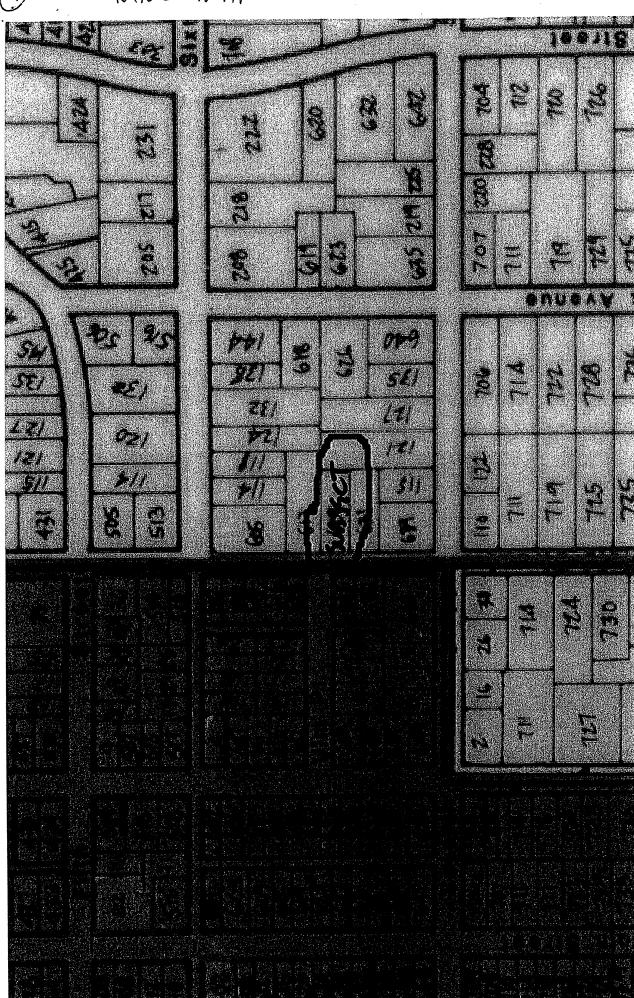
Address ·	City	Owner Name	Parcel ID
605 S Garfield St	Hinsdale	Vosseller Beverly	912400001
114 E 6th St	Hinsdale	Dills P G/Dills D P	912400002
118 E 6th St	Hinsdale	Trader Marie Mc Bride	912400003
124 E 6th St	Hinsdale	Kushner Keith/Kushner Stephanie	912400004
132 E 6th St	Hinsdale	Rebrag Inc	912400005
138 E 6th St	Hinsdale	Rahal Jordan D	912400006
144 E 6th St	Hinsdale	Bossy David P/Bossy Deborah	912400007
617 S Garfield St	Hinsdale	Mefford Dean A/Mefford Joann	912400008
629 S Garfield St	Hinsdale	Bomba Bryan A & Susan L Trust	912400009
631 S Garfield St	Hinsdale	Stefani Robt/Stefani Christin	912400010
639 S Garfield St	Hinsdale	Tan Franklin/Tan P Wu	912400011
115 E 7th St	Hinsdale	Hoffman Christopher	912400012
121 E 7th St	Hinsdale	Sessa Michael J/Sessa K L	912400013
127 E 7th St	Hinsdale	Leaven Steven C/Leaven Ginger	912400014
618 S Park Ave	Hinsdale	Martinelli G Dewey/Martinelli Risa	912400015
626 S Park Ave	Hinsdale	Rogowski Thomas/Rogowski Amy	912400016
135 E 7th St	Hinsdale	Noell John/Noell Denise	912400017
640 S Park Ave	Hinsdale	Nienhouse Robert F	912400018



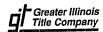
Neighboring Owners Sheet #2

Address	City	Owner Name	Parcel ID	
28 Ulm Pl	Hinsdale	Chen Grace		912305008
15 E 7th St	Hinsdale	Makamai LLC		912305009
17 E 7th St	Hinsdale	Messier Eileen M		912305010
23 E 7th St	Hinsdale	Barnard Ross/Barnard Line	d	912305012
632 S Garfield St	Hinsdale	Stock Cameron/Stock Ann		912305013
636 S Garfield St	Hinsdale	Roeser John O		912305015
644 S Garfield St	Hinsdale	Ember G Howard/Ember F		912305017





Proof Of Ownership

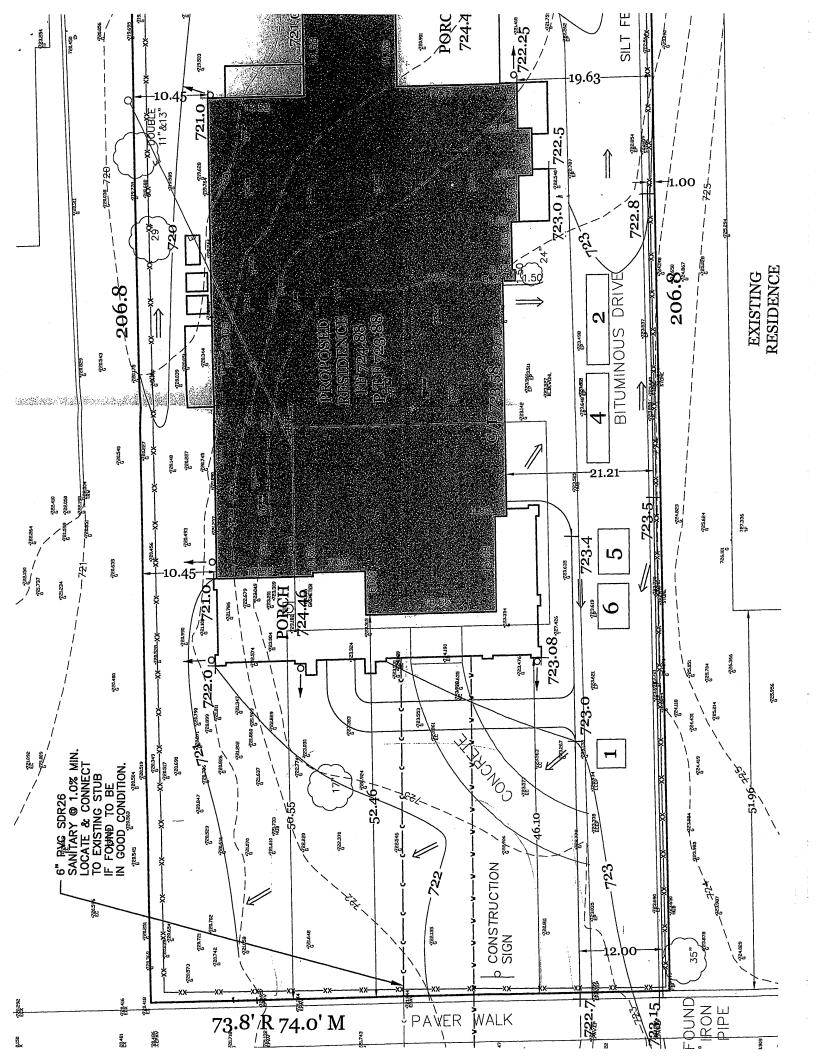


A. Settlement Statement (HUD-1)



OMB No. 2502-0265

B. Type of Loan			1014	- Marilan
1. ☐ FHA 2. ☐ RHS 3. ☐ Conv Unins 4. ☐ VA 5. ☐ Conv Ins. 6. ☐ Seller Fin 7. ☐ Cash Sale.	6. File Number 17078479	7. Loan Number	7. Loan Number 8. Mortgage Ins Case Number	
C. Note: This form is furnished to give you a statemen	t of actual settlement costs.	Amounts paid to and by the settle	ement agent are shown. Ite	ems marked
"(p.o.c.)" were paid outside the closing; they are shown here for informational purposes and are not included in the closing.				
D. Name & Address of Borrower Bryan Alan Bomba, as Trustee of the Bryan Alan Bomba Self Declaration of Trust Date April 7, 2004 and Susan Lynn Bomba, As Trustee of the Susan Lynn Bomba Self Declaration of Trust Dated April 7, 2004	E. Name & Address of Seller		F. Name & Address of Lender Cash Transaction*	
	U Sattlement Apent Name		I. Settlement Date	
G. Property Location 629 South Garfield Hinsdale, IL 60521	H. Settlement Agent Name 1. Settlement Date 9723/2013 120 North LaSalle Street 9723/2013 Suite 900 Chicago, IL. 60602 312-236-7300 Underwritten By: Chicago Title Place of Settlement Greater Illinois Title Company 300 East Roosevelt Road Wheaton, IL. 60187			
J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction		
100. Gross Amount Due from Borrower		400. Gross Amount Due to Seller		
		401. Contract sales price		\$804,000.00
101. Contract sales price	\$804,000.00	402. Personal property		000 1,000.00
102. Personal property	\$2,202.00	403.		
103. Settlement charges to borrower	\$2,202.00	404.		
104.	+	404.		
105.		Adjustments for items paid by seller in advance		
Adjustments for items paid by seller in advance		406. County property taxes		
106. County property taxes 107. City property taxes		407. City property taxes		
107. City property taxes 108. Assessment Taxes		408. Assessment Taxes		
109. School property taxes		409. School property taxes		
110. MUD taxes		410. MUD taxes		
111. Other taxes		411. Other taxes		
112.	Julier taxes		412.	
· · · · · · · · · · · · · · · · · · ·		413.		
113.		414.		
114.		415.		
115.		416.	······································	
120. Gross Amount Due From Borrower \$806,202.00		420. Gross Amount Due to Seller \$804,000.00		
200. Amounts Paid By Or in Behalf Of Borrower		500. Reductions in Amount Due to Seller		
201. Deposit or earnest money \$25,000.00		501. Excess deposit (see inst	ructions)	<u> </u>
202. Principal amount of new loan(s)		502. Settlement charges to seller (line 1400)		\$22,662.00
203. Existing loan(s) taken subject to		503. Existing loan(s) taken subject to		
204.		504. Payoff of first mortgage loan		
205.		505. Payoff of second mortgage loan		
206.		506. Earnest Money Retained by Realtor \$20,675.00		
207.		507. Earnest Money Disbursed As Proceeds \$		
208. Portion of Owner's Policy Paid by Seller \$1,500.00		508. Portion of Owner's Policy Paid by Seller		\$1,500.00
209. survey Credit \$400.00		509. survey Credit \$400.00		
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller		
210. County property taxes 01/01/13 thru 09/23/13 \$8,062.46		510. County property taxes 01/01/13 thru 09/23/13 \$8,062.46		
211. City property taxes		511. City property taxes		
212. Assessment Taxes		512. Assessment Taxes		
213. School property taxes		513. School property taxes		
214. MUD taxes		514. MUD taxes		
215. Other taxes		515. Other taxes		
216.		516.		
217.		517.		
218.		518.		
219.		519.		
220. Total Paid By/For Borrower \$34,962,46		520. Total Reduction Amount Due Seller		\$32,624.46
300. Cash At Settlement Fron/To Borrower	600. Cash At Settlement To			
301. Gross Amount due from borrower (line 120)	\$806,202.00	601. Gross Amount due to sel		\$804,000.00
2. Less amounts paid by/for borrower (line 220) \$34,962.46 602. Less reductions in amt. due seller (line 520)		\$32,624.46		
303. Cash From Borrower \$771,239.54 603. Cash To Seller The Public Reporting Burden for this collection of information is estimated at 35 minutes per response for collecting, reviewing, and reporting the data				\$771,375.54
the Public Reporting Burden for this collection of infor-	nauon is estimated at 35 mi	inutes per response for collecting	reviewing and reporting t	and date This are a



MEMORANDUM

TO:

Chairman Braselton and Members of the Zoning Board of Appeals

FROM:

Robert McGinnis MCP

Director of Community Development/ Building Commissioner

DATE:

October 10, 2013

RE:

Zoning Variation – V-12-13 206 N. Washington

In this application for variation, the applicant requests relief from the Floor Area Ratio requirements set forth in 3-110 E(3) and the Building Coverage requirements set forth in 3-110 F(1) in order to construct an addition to a historic home.

It should be noted that this request will need to move on to the Board of Trustees as a recommendation, as the Zoning Board of Appeals does not have the authority to grant increases in either Floor Area Ratio or Building Coverage in the R-4 zoning district.

This property is located in the R-4 Single Family Zoning District in the Village of Hinsdale and is located on northwest corner of Washington and Hickory Street. The property has a frontage of approximately 140', a depth of approximately 165', and a total square footage of approximately 23,100. The maximum FAR is .20+2,000 or approximately 6,620 square feet and the maximum allowable building coverage is 25% or approximately 5,775 square feet.

cc:

Kathleen Gargano, Village Manager Zoning file V-12-13

8

VILLAGE OF HINSDALE

APPLICATION FOR VARIANCE

SUPPLEMENTAL FILING

ADDRESS OF SUBJECT PROPERTY: 206 N. Washington Street, Hinsdale, IL 60521

Following is information that is supplemental to the original filing dated October 4, 2013. The only two sections in which additional information is now being provided are Section I (5)(a) and Section II (5) (a)-(g).

Section I

- 5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:
- a. Attorney: Peter Coules, Jr. of Donatelli & Coules, Ltd. 15 Salt Creek Lane, Suite 312,
 Hinsdale, IL 60521
- b. Engineer: Ridgeline Consultants, 1661 Aucutt Road, Montgomery, IL
- c. Architect: <u>Michael Abraham of Culligan Abraham Architecture</u>, 148 Burlington Ave. Clarendon Hills, IL

Section II

- 5. <u>Standards for Variation</u>. A statement of the characteristics of Subject Property that prevent compliance with the provisions of the Zoning Ordinance and the specific facts you believe support the grant of the required variation. In addition to your general explanation, you must specifically address the following requirements for the grant of a variation:
- (a) <u>Unique Physical Condition</u>. 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 of 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 lot owner.

- The uniqueness of this subject property is not only that the structures have been on this corner for numerous years (historically important to the community) but also that the visibility of the lot is unique. Numerous historic homes have been renovated in this area and the house and access are historically significant and unique. The subject structures were erected in 1853 and therefore inherently unique and should be preserved.
- (b) 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, for which no compensation was paid.
 - The physical condition of the structures is not self-created as they were constructed in 1853. Problems with the structures that exist and that must be remedied include but are not limited to the following:
 - The house has a large, flat roof (original design) and therefore the house is very heavy. Structurally, there is wood holding up the house. The wood has to be removed, the foundation dug out further and steel inserted to hold up the structure.
 - The flat roof leads to no "bonus" space because of the closeness and slanted ceilings.
 - There presently exists a very steep and dangerous staircase in the house that needs to be replaced and more room is needed to erect same.
 - The ceilings heights on the first floor are uneven because the second floor was built with various heights (almost like an addition) which need to be remedied to protect the structure and integrity of the home. More space is needed to accomplish and remedy this situation.
 - The secondary structure on the property (originally built for a horse and carriage) is not functional because of the opening and depth of same. Only one car fits in the garage and therefore a new attached garage is being proposed, and the secondary structure (historically significant as built at the same time as the house) will be preserved. If the secondary structure is demolished, the variance request to complete all the above is less than 350 square feet.

- (c) <u>Denied Substantial Rights</u>. 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.
 - If variance not granted, the owners would be denied their right to structurally preserve the house and would be left with no option but to demolish both structures.
- (d) 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.
 - The request is not merely a special privilege but is a request to preserve two structures built in 1853 while making them able to be lived in safely today. The Owners are not requesting additional FAR to construct for extravagant uses (for example a theater or driving range in the house), but the variance is being requested to preserve the house and to add an attached garage and some additional living space. As you can see from the plans, the renovations consist of rooms of modest size that one would expect to see in a house this size in this neighborhood. The plans show some of the room sizes as follows:

- Living Room: 17'-2" x 17'-4"

- Den with Stair: 17'-0'x 19'-0'

- Foyer: 9'x 12'

- Dining Room: 17'-10" x 16'-8"

- Family Room: 17'-2" x 21'-3"

- Kitchen: 14'-8" x 20'

- Breakfast Room: 11'-2" x 19'-3"

- (e) <u>Code and Plan Purposes</u>. The variation would not result in a use or development of the Subject Property that would not be in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.
 - The Code allows variances and this submittal is exactly the reason why one should be granted. If the approval of the variance creates a precedent it would be a wonderful one as these historic and majestic houses should be saved.

- (f) <u>Essential Character of the Area.</u> The variation would not result in a use or development of the Subject Property that:
 - (1) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use development, or value of property of improvements permitted in the vicinity; or
 - The plans are not materially detrimental to the public welfare or materially injurious to the enjoyment, use development, or value of property of improvements permitted in the vicinity, as the building will remain a single family house on the subject property.
 - (2) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
 - The plans do not materially impair an adequate supply of light and air to the properties and improvements in the vicinity.
 - (3) Would substantially increase congestion in the public streets due to traffic or parking; or
 - The plans do not substantially increase congestion in the public streets due to traffic or parking.
 - (4) Would unduly increase the danger of flood or fire; or
 - The plans do not unduly increase the danger of flood or fire.
 - (5) Would unduly tax public utilities and facilities in the area; or
 - The plans do not unduly tax public utilities and facilities in the area.
 - (6) Would endanger the public health or safety.
 - The plans do not endanger the public health or safety.

(g) 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 Project.

(Attach separate sheet if additional space is needed.)

- As stated above, the variance being requested is structurally necessary to save the building, as well as being the best way (after much time and money spent) to preserve the character of the property. The architect Mike Abraham was able to save the structures and preserve the historical design, as seen in the plans provided.

SIGNED:

By: Peter Coules, Jr. Donatelli & Coules, Ltd.

Attorney for Robert and Anna Livingston