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**VILLAGE OF HINSDALE  
MINUTES OF THE MEETING  
ZONING BOARD OF APPEALS  
January 15, 2014**

**1. CALL TO ORDER**

Chairman Debra Braselton called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, January 15, 2014 at 7:34 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

**2. ROLL CALL**

**Present:** Chairman Debra Braselton, Members Marc Connelly, Gary Moberly, Bob Neiman, and Rody Biggert

**Absent:** Members Keith Giltner and John Callahan

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

**3. APPROVAL OF MINUTES – December 18, 2013**

There being no corrections or changes to the draft minutes, Member Moberly moved to **approve the minutes of the regularly scheduled meeting of December 18, 2013, as presented.** Member Connelly seconded the motion.

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

**NAYS:** None

**ABSTAIN:** Member Neiman

**ABSENT:** Members Giltner and Callahan

Motion carried.

**4. APPROVAL OF FINAL DECISION**

**a) V-13-13, 629 S. Garfield**

Chairman Braselton introduced the item and asked for changes or corrections to the draft final decision. There being none, Member Moberly moved to approve the Final Decision for **V-13-13, 629 S. Garfield.** Member Biggert seconded the motion.

1           **AYES:** Members Connelly, Moberly, Biggert and Chairman Braselton

2           **NAYS:** None

3           **ABSTAIN:** Member Neiman

4           **ABSENT:** Members Giltner and Callahan

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6           Motion carried.

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8   **5. RECEIPT OF APPEARANCES - None**

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

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13 **7. PRE-HEARING AND AGENDA SETTING - None**

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15 **8. PUBLIC HEARINGS**

16   a) **V-14-13, 125 W. 2<sup>nd</sup> Street**

17       Chairman Braselton opened the public hearing. All persons wishing to  
18       speak were sworn in by the court reporter.

19       Mr. Steven Kolber of Kolbrook Design addressed the Board as one of the  
20       architects on the project representing Ms. Christina Steil, the property  
21       owner. Mr. Kolber stated that the first design had a larger parking  
22       component, but this revised design provides for minimal parking in the  
23       rear of the property. He stated that on-site parking is not required for  
24       this project; however, Ms. Steil wants to provide this to her clients.  
25       They believe that this rear side parking solution addresses neighbor and  
26       Plan Commission concerns with respect to maintaining the residential  
27       feel of the O-1 District. This proposal provides for more buffering to  
28       keep it hidden. They have spoken to the neighbors and there is no  
29       objection. There is a substantial grade drop from Second Street to the  
30       rear of the property. There is screening to the west and north; in the  
31       rear they will fill in with trees. They looked at other O-1 District  
32       businesses located on corner lots with similar side yard parking and  
33       found there are four existing sites. Mr. Steven Schmitt, architect with  
34       Kolbrook Design, illustrated with an overhead map and street  
35       photographs of the location of these four properties. It was noted that  
36       the proposed parking at the rear of this property abuts existing  
37       commercial properties. Mr. Kolber explained they are asking for five  
38       spaces total which includes one handicapped space; they believe this  
39       will handle all patients coming and going. There are eleven exam  
40       rooms, but some are dedicated to different activities and will not impact  
41       the number of patients requiring parking.

42       Chairman Braselton asked Mr. Kolber to address the standards for  
43       approval of variations. Mr. Kolber stated that because of the footprint

1 of the house, this parking location is the only place it can go,  
2 particularly after Plan Commission and neighbor comments. Member  
3 Biggert pointed out this is unique because this is located in the O-1  
4 District and he feels the applicant should be commended for trying to  
5 take cars off the street. Chairman Braselton noted that because it is a  
6 corner lot there are additional restrictions which greatly impact setback  
7 requirements. In terms of the denial of substantial rights, it is  
8 Kolbrook's opinion that for her to conduct her business effectively, not  
9 providing this parking creates a hardship for her and her patients. This  
10 is not merely a special privilege because they are not asking for  
11 anything that has not been provided to other O-1 businesses. The use  
12 and development of the property are consistent with the neighborhood  
13 and would not take away from the residential feel of the neighborhood.  
14 They believe the architecture, landscaping and placement of the parking  
15 at the rear of the lot will maintain and enhance the character of the  
16 area. Member Neiman commented that this is a 'pick your poison'  
17 scenario. He stated a bigger parking lot close to a residential area  
18 would be an eyesore, but if you live across the street you don't want on-  
19 street parking increased either. Mr. Kolber believes an increase of  
20 parked cars on the street implies commercial activity. They want to  
21 take those cars off the street to preserve the residential quality of the  
22 neighborhood.

23 Mr. Kolber said with respect to the southwest corner, they will keep the  
24 existing trees and hug the landscaping to the parking. The front will be  
25 a grassy lawn then a heavy hedge; the grade will also conceal the  
26 vehicles. Ingress and egress is on Grant Street. He also noted 12%  
27 more overall impervious surface will be added. This is the only and best  
28 solution for the neighborhood and this amenity is seen throughout this  
29 zoning district. Member Biggert noted if Ms. Steil is not permitted to  
30 provide this parking, her clients will have to make the walk to the  
31 office; these parking places provide a safer access to the building.  
32 Currently there is no handicapped space in the area.

33 Mr. Schmitt referenced an email from Police Chief Bloom wherein he  
34 stated that he has studied the usage in this area over the last three  
35 days and concluded that it would not be feasible to change the permitted  
36 spots to two-hour timed parking. It was stated that surrounding  
37 commercial businesses are already concerned about the number of  
38 existing spaces. Mr. Schmitt was concerned the neighbors to the west  
39 have a clear view, but he spoke to the pastor of the church who  
40 applauded the minimal parking and landscaping provided. The  
41 comments received from residential and commercial neighbors were  
42 reviewed. Mr. Kolber reiterated the Plan Commission was concerned  
43 about how the parking lot would affect the residential neighborhood and

1 he believes they have mitigated the problem with the landscaping.  
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3 **Mr. Dave Tweedie of 126 W. Second Street** addressed the Board  
4 stating that he is the neighbor directly across the street. He said he is  
5 ok with five total spaces and asked if the grade of the parking lot is the  
6 same as the lot to the north. Mr. Schmitt said the new lot will be lower  
7 than the lot to the north and they will have to install a retaining wall.  
8 Mr. Kolber noted this parking will be approximately 1.5' feet lower than  
9 existing grade. Mr. Tweedie stated that he is satisfied with the  
10 proposed landscaping and parking lot and as long as the view to the lot  
11 is blocked as much as possible he can live with it. He further remarked  
12 that the building was an eyesore and the new building is an  
13 improvement.  
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15 **Ms. Julie Crnovich of 122 E. Third Street** addressed the Board. She  
16 introduced herself stating she is a member of the Plan Commission, but  
17 is here tonight mostly as a resident. She acknowledged this proposal is  
18 an improvement from first iteration, but noted that the property across  
19 from her residence was rezoned to allow a church parking lot and she  
20 feels it has drastically changed her situation. She reminded the Board  
21 that the property in question is in a buffer zone and in her opinion a  
22 parking lot is never residential in character. Member Neiman noted  
23 that the zoning code contains many references to the need to maintain  
24 the residential quality, but whether a variance would help retain a  
25 residential feel is a subjective standard that can't be objectively  
26 measured. He asked Ms. Crnovich why she thinks more on-street  
27 parking would better maintain the character of the neighborhood. It is  
28 her opinion that when someone makes a big investment in their home  
29 they don't want to look at asphalt. Chairman Braselton pointed out that  
30 off-street parking is a permitted accessory use according to the code, the  
31 conundrum here is that this is a corner lot and setback calculation is  
32 adversely effected. Ms. Crnovich acknowledged that there are some  
33 properties with parking in the side yard, but the zoning code exists for a  
34 reason; there is available on-street parking steps away from the  
35 proposed parking lot. She suggested employees park in the Zion  
36 Lutheran parking lot, a concept which is supported by the CMAAP  
37 study. Discussion followed regarding parking in the existing parking  
38 areas on the property. Ms. Crnovich asked the Board to consider if this  
39 parking lot fits with the land use patterns of the Village as referenced  
40 by the preamble to the zoning code. Member Neiman moved to **close**  
41 **the Public Hearing for V-14-13, 125 W. 2<sup>nd</sup> Street.** Member  
42 Connelly seconded the motion.  
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1 **9. NEW BUSINESS** - None

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3 **10. UNFINISHED BUSINESS** - None

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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 January 15, 2014.** Member Moberly seconded the motion.

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10 **AYES:** Members Connelly, Moberly, Neiman, Biggert and Chairman  
11 Braselton

12 **NAYS:** None

13 **ABSTAIN:** None

14 **ABSENT:** Members Giltner and Callahan

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16 Motion carried.

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18 Chairman Braselton declared the meeting adjourned at 8:48 p.m.

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Christine M. Bruton  
Village Clerk

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