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**VILLAGE OF HINSDALE
MINUTES OF THE SPECIAL MEETING
ZONING BOARD OF APPEALS
March 19, 2014**

1. CALL TO ORDER

Chairman Debra Braselton called the specially scheduled meeting of the Zoning Board of Appeals to order on Wednesday, March 19, 2014 at 6:37 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, Keith Giltner and Rody Biggert

Absent: Member John Callahan

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

3. APPROVAL OF MINUTES – February 19, 2014

Member Giltner moved to **approve the minutes of the regularly scheduled meeting of February 19, 2014, as presented.** Member Moberly seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Member Callahan

Motion carried.

4. APPROVAL OF FINAL DECISION – None

5. RECEIPT OF APPEARANCES – None

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

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

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6 **8. PUBLIC HEARINGS**

7 a) **V-01-14, 330 Chestnut Street**

8 Chairman Braselton opened the Public Hearing. All persons wishing to
9 speak were sworn in by Court Reporter Bono. Mr. Dave Habiger, owner
10 of the property and his architect Mr. Bernie Bartelli from Culligan
11 Abraham addressed the Board.

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13 Mr. Bartelli explained that staff recommended the resubmittal to the
14 ZBA for clarification of the parking setback; all zoning matters had been
15 previously approved by this Board, and the proposal is the same. Mr.
16 Habiger pointed out that approvals are still needed from the Plan
17 Commission, but they cannot move forward with that until all zoning
18 matters have been addressed by the ZBA. Specifically, that parking be
19 allowed in the front yard. It was clarified they are not changing the
20 parking since the original proposal, in fact they didn't really want the
21 parking, but some is required by code. They did however go from 12
22 spaces to 10. Mr. Bartelli illustrated the setback requests. The
23 proposed driveway calls for a gravel turn-around; it is designed to be
24 aesthetic, to drain and provide accessibility from both sides of the
25 narrow building. The curb cuts already exist. In terms of the building,
26 the proposed footprint and building height is the same as the original
27 proposal and will allow them to maximize green space. Neighbors were
28 concerned with noise, however, they believe as an office space only, with
29 no loading dock required there will be no truck back-up beeping. All of
30 the landscape buffering is the same. There is space for a box truck,
31 such as FedEx or UPS to unload, but cars will not have to back into the
32 street to exit. Discussion followed regarding the anticipated traffic
33 patterns of vehicles in this parking lot. It was pointed out that there is
34 currently a parking lot on this site where this parking lot will be, which
35 was put in by the Village.

36
37 Chairman Braselton referenced an email received from **Mr. Donald**
38 **Moritz of 24 S. Clay Street** expressing concerns regarding traffic and
39 parking considerations in that he believes this building will increase
40 both traffic and parking needs. Mr. Habiger explained that in their
41 opinion, this parking lot will help alleviate some of the congestion in the
42 area. He also reiterated that vehicles exiting the parking lot would not
43 have to back into the street.

1 Mr. Bartelli recapped their request in terms of the criteria necessary for
2 ZBA approval. This lot has a unique physical condition for the B-3
3 zoning district. The depth of the lot goes from 40 to 60 feet; which is far
4 below 125 of most B-3 lots. The setback requirements of the code would
5 result in a buildable area that would be too small. This is not a self-
6 created physical condition. Additionally, they located the building as
7 shown so as not to disturb existing utilities and preserve the existing
8 drainage. The scale of the building, minimal lot coverage and the added
9 landscape areas would not materially impair the adequate supply of
10 light and air to the other properties in the vicinity. The minimized floor
11 plan and building use would not increase the current parking and traffic
12 load significantly nor increase the risk of flood or fire, unduly tax public
13 utilities nor endanger public health or safety.

14
15 **Mr. Tom Heinz of 116 S. Vine Street** addressed the Board stating he
16 admires the work proposed and is looking forward to seeing the
17 building. He is in complete support of the proposed project.

18
19 **Mr. Andy Hotaling of 18 S. Clay** addressed the Board stating he is
20 concerned about the traffic at Chestnut and Clay Streets. It is one-way
21 in both directions creating congestion which is exacerbated because
22 there is parking on both sides of the street. He was further concerned
23 because cars would be backing out of the proposed parking lot into
24 traffic. Member Neiman explained that the applicant had addressed
25 this concern earlier in his presentation and there would be enough space
26 in the parking lot to turn around and exit without having to back out.
27 Chairman Braselton suggested that adding ten new spaces plus a
28 throughway might relieve some of the traffic problems in this area. Mr.
29 McGinnis pointed out that the Village Children's Academy on Clay
30 Street is relocating this summer thereby reducing traffic in the area.
31 Member Neiman directed Mr. McGinnis to ask the Police Department to
32 look at parking in this area.

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34 Member Moberly moved **to close the public hearing for V-01-14, 330**
35 **Chestnut Street.** Member Connelly seconded the motion.

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37 **AYES:** Members Connelly, Moberly, Neiman, Giltner, Biggert and
38 Chairman Braselton

39 **NAYS:** None

40 **ABSTAIN:** None

41 **ABSENT:** Member Callahan

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43 Motion carried.

D E L I B E R A T I O N S

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3 Member Neiman began discussion stating he would approve this variation
4 with a recommendation to have the Police Department address the parking
5 concerns of neighbors in the area. In his opinion this variance will not
6 make it worse, but that doesn't mean there isn't a traffic problem. He
7 believes the applicant meets all applicable criteria necessary for approval.
8 Chairman Braselton remarked it would be hard to find a parcel with a
9 more unique physical condition. Member Biggert agreed the applicant
10 meets all criteria for approval.

11
12 Member Moberly moved **to approve the variance know as V-01-14, 330**
13 **Chestnut Street.** Member Giltner seconded the motion.

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15 **AYES:** Members Connelly, Moberly, Neiman, Giltner, Biggert and
16 Chairman Braselton
17 **NAYS:** None
18 **ABSTAIN:** None
19 **ABSENT:** Member Callahan

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21 Motion carried.

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24 **9. NEW BUSINESS**

25 a) **Discussion of Change to Meeting Start Time**

26 Chairman Braselton introduced the item stating the Board has
27 expressed interest in changing the regular starting time of ZBA
28 meetings to 6:30 instead of 7:30 p.m. Village Clerk Bruton stated she
29 checked the Village code and there is no language that prohibits a
30 change in meeting time. The Board agreed to make the change, but
31 noted they could change it back if it became problematic. Chairman
32 Braselton asked for a voice vote to change the meeting start time for the
33 Zoning Board of Appeals to 6:30 p.m. All in favor, motion carried.

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36 **10. UNFINISHED BUSINESS - None**

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39 **11. ADJOURNMENT**

40 With no further business before the Zoning Board of Appeals, Member
41 Moberly made a motion to **adjourn the meeting of the Zoning Board of**
42 **Appeals of March 19, 2014.** Member Biggert seconded the motion.
43

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

3 **NAYS:** None

4 **ABSTAIN:** None

5 **ABSENT:** Member Callahan

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7 Motion carried.

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9 Chairman Braselton declared the meeting adjourned at 7:20 p.m.

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Christine M. Bruton
Village Clerk

Approved: _____