

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

**VILLAGE OF HINSDALE
MINUTES OF THE MEETING
ZONING BOARD OF APPEALS
June 18, 2014**

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, June 18, 2014 at 6:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. ROLL CALL

Present: Chairman Bob Neiman, Members Gary Moberly, Keith Giltner, and Rody Biggert

Absent: Members Marc Connelly and John Callahan

Also Present: Director of Community Development/Building Commissioner Robb McGinnis and Village Clerk Christine Bruton

3. APPROVAL OF MINUTES

a) April 16, 2014

There were not enough eligible voting members present to approve. Chairman Neiman asked that the minutes be moved to the next regularly scheduled meeting for approval.

b) May 21, 2014

There being no changes to the draft minutes, Member Moberly moved to **approve the minutes of the meeting of May 21, 2014, as presented.** Member Giltner seconded the motion.

AYES: Members Moberly, Giltner, Biggert and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Callahan

Motion carried.

4. APPROVAL OF FINAL DECISION – None

5. RECEIPT OF APPEARANCES – Persons anticipating speaking at the Public Hearing were sworn in by Court Reporter Kathy Bono

1 **6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS**
2 **TO MAKE PUBLIC COMMENT OF A GENERAL NATURE – None**
3

4 **7. PRE-HEARING AND AGENDA SETTING**

5 a) **V-03-14, 741 East Seventh Street**

6 Mr. Adam Kinglsey, attorney for the homeowner, addressed the Board.
7 He introduced Mr. Mark McCoy, project manager and architect on the
8 project. Mr. Kinglsey stated his client is requesting 12.32' of relief from
9 the required front yard setback for the construction of a new home. He
10 believes the hardship is the configuration of the lots of this area; there
11 is no uniformity with respect to size of the lots or setbacks. The house
12 that is built will have the same setback as the lots to east and west.
13 The previous house had a 55.9' setback, this would be the same. He
14 noted they have neighbor support and the proposed home is consistent
15 with the homes in the area.

16 The public hearing was set for July 16th.

17
18 b) **V-04-14, 312 & 320 North Washington Street**

19 Mr. Patrick Fortelka, representing homeowners, Tom and Katie
20 Krasnevich, addressed the Board. He explained they want to
21 consolidate the two lots and extend the property on 312 N. Washington
22 to the north. The neighbors on the north and south sides of the property
23 are in favor of the proposal. There was discussion regarding drainage
24 and it was suggested drainage could materially improve upon
25 completion of this project.

26 The public hearing was set for July 16th.

27
28 c) **V-05-14, 125 West Second Street**

29 Mr. Steven Kolber, architect for the property owner, explained that
30 during work on the project, they found the existing framing was bowing
31 out and needed to be replaced. However, technically, this creates a
32 demolition instead of a reconstruction, and as a result the setback is no
33 longer legal non-conforming. Therefore, they must come back to the
34 ZBA for relief. Chairman Neiman indicated that the owner, Dr.
35 Christina Steil would like the final decision read into the record to
36 speed up the process. Mr. Kolber said there is a stop work order on the
37 job at this time. Chairman Neiman said we are authorized to meet this
38 request, but it is unusual.

39 The public hearing was set for July 16th.
40
41
42
43

1 **8. PUBLIC HEARINGS**

2 a) **V-02-14, 217 & 227 West 55th Street**

3 Chairman Neiman explained to the applicants that because there are
4 only four members of the Board present, if the vote isn't unanimous,
5 they will not be allowed to bring this variation back to the Board for two
6 years. He further explained that they have the option to defer the
7 matter to next month when more members may be present.

8
9 Recess taken.

10
11 Upon reconvening the meeting, Mr. Wolf informed the Board that they
12 have elected to proceed with the public hearing this evening. Mr. Phil
13 Wolf, of WolfPack Development, Inc. addressed the Board on behalf of
14 Ric and Kathleen Phillips, homeowners. Mr. Wolf indicated that he had
15 distributed hard copies of letters of neighbor approval. Mr. Wolf
16 explained that the owners want to combine two 80' foot lots, which are
17 non-conforming to the underlying zoning. If the lots are combined it
18 creates one conforming lot for the district. The existing house on the lot
19 conformed with side yard setback requirements when built, but because
20 of a wing-wall extension the setback requirement is greater. Relating to
21 drainage, he believes it will not change. The existing structure has
22 drainage, the flow of water will not change, the building area is not
23 changing and the driveway isn't changing. Discussion followed
24 regarding the possible effect on drainage. Mr. Wolf pointed out that the
25 Village now has the plans, which include a rain garden that will
26 mitigate and improve existing drainage problems. He reiterated that
27 the water flow will not change as a result of anything proposed; the
28 plans indicate the amount of existing impervious area and subsequent
29 impervious area. The new plans remove a house and part of driveway,
30 but add a 571' square foot three-car garage. The plans address Village
31 requirements for impervious surface. Ms. Kathleen Phillips,
32 homeowner, indicated that there is a garage on the second property that
33 will also be demolished and a stormwater report has been submitted to
34 the Village. Chairman Neiman asked Mr. Wolf to address the standards
35 of variation necessary for approval. Mr. Wolf read his application into
36 the record and added that the drainage problems in this area are an
37 existing condition and part of the permitting process for new
38 construction will be review by Village staff for adequacy. If what is
39 submitted is inadequate, it will be adjusted. Director of Community
40 Development/Building Commissioner Robb McGinnis confirmed that a
41 detailed engineering review will address whether or not the proposed
42 plan will affect neighbors. They have to manage their run off and
43 anything over 2,500 square feet of impervious surface requires DuPage

1 County review and going through their process. He also noted that this
2 review will occur regardless of this variation request. Chairman
3 Neiman commented that while this issue is within our jurisdiction, it is
4 not our expertise. Member Biggert concurred that this is best left to the
5 experts. Member Moberly moved **to close the public hearing for V-**
6 **02-14, 217 & 227 West 55th Street.** Member Biggert seconded the
7 motion.

8
9 **AYES:** Members Moberly, Giltner, Biggert and Chairman Neiman

10 **NAYS:** None

11 **ABSTAIN:** None

12 **ABSENT:** Members Connelly and Callahan

13
14 Motion carried.

15
16
17 **DELIBERATION**

18
19 Member Moberly believes the creation of a conforming lot is beneficial and is
20 not convinced that there will be a water problem as a result of the teardown.
21 Member Giltner commented that drainage concerns are outside the scope of
22 the ZBA, but will be reviewed and addressed by staff, therefore, the variance
23 as requested is acceptable. Member Biggert noted that the sideyard setback is
24 an unintended consequence of the code. Further, he is confident the drainage
25 issues will be handled by other departments of the Village. Chairman
26 Neiman agreed and commented that it is the right of this Board to take into
27 consideration issues that will have an effect on drainage and flooding,
28 however the request before us meets the necessary criteria for approval.
29 Member Moberly moved **to approve the variation know as V-02-14, 217 &**
30 **227 West 55th Street.** Member Giltner seconded the motion.

31
32 **AYES:** Members Moberly, Giltner, Biggert and Chairman Neiman **NAYS:**
33 None

34 **ABSTAIN:** None

35 **ABSENT:** Members Connelly and Callahan

36
37 Motion carried.

38
39 **9. NEW BUSINESS - None**

40
41 **10. UNFINISHED BUSINESS - None**

42
43

1 **11. ADJOURNMENT**

2 With no further business before the Zoning Board of Appeals, Member
3 Moberly made a motion to **adjourn the meeting of the Zoning Board of**
4 **Appeals of June 18, 2014.** Member Biggert seconded the motion.
5

6 **AYES:** Members Moberly, Giltner, Biggert and Chairman Neiman

7 **NAYS:** None

8 **ABSTAIN:** None

9 **ABSENT:** Members Connelly and Callahan

10
11 Motion carried.

12
13 Chairman Neiman declared the meeting adjourned at 7:37 p.m.
14
15
16

17 _____
18 Christine M. Bruton
19 Village Clerk
20

Approved: _____