

VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
April 16, 2014

1. CALL TO ORDER

Chairman Debra Braselton called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, April 16, 2014 at 6:35 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, Keith Giltner and Rody Biggert

Absent: Members Bob Neiman and John Callahan

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

3. APPROVAL OF MINUTES – March 19, 2014

Corrections were made to the language of the draft minutes. Member Biggert moved to **approve the minutes of the regularly scheduled meeting of March 19, 2014, as amended.** Member Moberly seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Members Neiman and Callahan

Motion carried.

4. APPROVAL OF FINAL DECISION

a) V-01-14, 330 Chestnut Street

Chairman Braselton introduced the item asking for changes or corrections. There being none, Member Moberly moved **Approval Of Final Decision for V-01-14, 330 Chestnut Street.** Member Connelly seconded the motion.

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

4 **NAYS:** None

5 **ABSTAIN:** None

6 **ABSENT:** Members Neiman and Callahan

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8 Motion carried.

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

11
12 **6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS**
13 **TO MAKE PUBLIC COMMENT OF A GENERAL NATURE – None**

14
15 **7. PRE-HEARING AND AGENDA SETTING – None**

16
17 **8. PUBLIC HEARINGS – None**

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19 **9. NEW BUSINESS – None**

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21 **10. UNFINISHED BUSINESS – None**

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23 **11. ADJOURNMENT**

24 With no further business before the Zoning Board of Appeals, Member
25 Moberly made a motion to **adjourn the meeting of the Zoning Board of**
26 **Appeals of April 16, 2014.** Member Biggert seconded the motion.

27
28 **AYES:** Members Connelly, Moberly, Giltner, Biggert and Chairman
29 Braselton

30 **NAYS:** None

31 **ABSTAIN:** None

32 **ABSENT:** Members Neiman and Callahan

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34 Motion carried.

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36 Chairman Braselton declared the meeting adjourned at 6:39 p.m.

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40 _____
41 Christine M. Bruton
42 Village Clerk

Approved: _____

**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.
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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.

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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

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

AYES: Members Moberly, Giltner, Biggert and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Callahan

Motion carried.

DELIBERATION

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

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

ABSTAIN: None

ABSENT: Members Connelly and Callahan

Motion carried.

9. NEW BUSINESS - None

10. UNFINISHED BUSINESS - None

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.
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15
16

17 Approved: _____

18 _____
19 Christine M. Bruton
20 Village Clerk

FINAL DECISION**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
PETITION FOR VARIATION**

- Zoning Calendar:** V-02-14
- Petitioner:** Phillip Wolf, Wolf Pack Development, Inc.
- Meeting held:** Public Hearing was held on Wednesday, June 18, 2014 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 May 29, 2014.
- Premises Affected:** Subject Property is commonly known as 217 & 227 W. 55th Street, Hinsdale, Illinois and is legally described as:
- LOTS 1 AND 2 IN FOSTER AND HOLM SUBDIVISION OF THE EAST 160 FEET OF THE WEST 985 FEET (EXCEPT THE NORTH 33 FEET THEREOF) OF THE SOUTH ½ OF THE SOUTH ½ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 8, 1950 AS DOCUMENT 6037575, IN DUPAGE COUNTY, ILLINOIS
- Subject:** In this application for variation, the applicant requests relief from the interior side yard requirements set forth in section 3-110 (D)(2)(b)(i). The request is for 10.41' of relief to the required 17' interior side yard setback.
- Facts:** The applicant intends to demolish the house on the 227 W. 55th Street and consolidate both lots in order to construct accessory improvements to the west of the existing house at 217 W. 55th. In order to do this, they need to obtain relief for the existing house, as the code (12-101-C) prohibits the creation of any new non-conformity that would result as part of a subdivision. Given that the newly created lot would have a required interior side yard of 17' based on the new lot width of 160'; the subdivision process cannot move forward until relief is granted for what would be a non-conforming sideyard. This property is located in the R-2 single-family zoning district in the Village of Hinsdale and is located on the north side of 55th Street between Madison and Grant. Once consolidated, the property will become a conforming lot. It will have a frontage of approximately 160', a depth of approximately 297', and a total square footage of approximately 47,520. The maximum FAR is .20 +2,000 square feet or approximately 11,504 square feet. The maximum building coverage is 25% or approximately 11,880 square feet.

The Total Lot Coverage is 50% or approximately 23,760 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.

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

AYES:

Members Moberly, Giltner, Biggert, and Chairman Neiman

NAYS:

None

ABSTAIN:

None

ABSENT:

Members Connelly, Callahan

THE HINSDALE ZONING BOARD OF APPEALS

Chairman Robert Neiman

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

8a

MEMORANDUM

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

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

DATE: June 11, 2014

RE: Zoning Variation – V-03-14; 741 E. Seventh Street

In this application for variation, the applicant requests relief from the front yard setback requirements set forth in section 3-110-D1 for the construction of a new single family home. The applicant is requesting a 12.32' reduction in the required front yard from 69.58' to 57.26'.

This property is located in the R-1 Residential District in the Village of Hinsdale and is located on the north side of Seventh Street just west of Harding. The property has a frontage of approximately 99.5', a depth varying from 153' to 183', and a total square footage of approximately 16,700. The maximum FAR is approximately 5,208 square feet and the maximum allowable building coverage is 25% or approximately 4,111 square feet.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-03-14

O'Donnell Law Firm, Ltd

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Deborah Haddad
Of counsel

July 9, 2014

Via E-mail

Village of Hinsdale Zoning Board of Appeals
c/o Robert McGinnis
19 E. Chicago
Hinsdale, IL 60521

Re: *Application for Variation - 741 E. Seventh Street*
Our File No.: 14-1033

Dear Chairman Nieman and Members of the Zoning Board of Appeals:

With respect to the proposed variation for 741 E. Seventh Street, this matter will be presented to you at the public hearing scheduled for July 16, 2014.

On behalf of the Applicant, Mark McCloy, I respectfully request that the ZBA's final decision with respect to the proposed variation be read into the record at the July 16 meeting immediately following the public hearing. In the event that the ZBA approves the proposed variation, this immediate ruling would allow the Applicant to pull a building permit and begin construction on this project without further delay. The Applicant would appreciate the opportunity to begin construction on this project as quickly as possible. Thank you for your consideration.

Very truly yours,
O'Donnell Law Firm



Adam M. Kingsley

cc Mark McCloy
Robert O'Donnell

Zoning Calendar No. V-03-14

VILLAGE OF HINSDALE
APPLICATION FOR VARIATION

COMPLETE APPLICATION CONSISTS OF TEN (10) COPIES
(All materials to be collated)

FILING FEES: RESIDENTIAL VARIATION \$850.00

NAME OF APPLICANT(S): MTMS, LLC

ADDRESS OF SUBJECT PROPERTY: 741 E. SEVENTH STREET

TELEPHONE NUMBER(S): [REDACTED]

If Applicant is not property owner, Applicant's relationship to property owner.

DATE OF APPLICATION: JUNE 10, 2014



SECTION I

1. Owner. Name, address and telephone number of owner:

MJMS, LLC. 550 E. First Street, Hinsdale, IL 60521. [REDACTED]

2. Trustee Disclosure. In the case of a land trust, the name, address and telephone number of all trustees and beneficiaries of the trust:

Not Applicable.

3. Applicant. Name, address and telephone number of applicant, if different from owner and applicants interest in the subject property:

Not Applicable.

4. Subject Property. Address and legal description of the subject property:

741 E. Seventh Street, Hinsdale

Lot 11 in Block 1 in the "Woodlands", Hinsdale, Illinois, Being a Subdivision of the Southwest ¼ of Section 7, Township 38 North, Range 12, East of the Third Principal Meridian, Excepting Therefrom the West 1,312.4 Feet of the North 718.2 Feet of Said Southwest ¼, in Cook County, Illinois. P.I.N. 18-07-300-020

5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:

a. Attorney: *Robert T. O'Donnell, O'Donnell Law Firm, Ltd., 14044 Petronella Drive, Suite 1, Libertyville, IL 60048.*

b. Project Manager: *Billy Valle, Maximus Homes, 1721 Raleigh Trail, Romeoville, Illinois 60446.*

c. Architect: *Brian Fergon, Fergon Architects LLC, 434 N. Dover Avenue, LaGrange Park, Illinois.*

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.

None.

7. 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.

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 all certified mail receipts to the Village.

A list of neighboring owners entitled to notice as determined in coordination with the Village is attached hereto as Exhibit 1

8. Survey. 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.

A survey of the property is attached hereto as Exhibit 2.

9. Existing Zoning. 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.

The Subject Property and all properties within 250 feet of the Subject Property are zoned R-1 and developed with single family homes.

10. Conformity. 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.

set back of 50 feet while constructing a house that is appropriate for the lot in question and compliant with floor area limit and all other aspects of the Village Code. The unique size and shape of the lot in relation to the shape and size of other lots on the block necessitates the requested variation.

A site plan showing the proposed location of the house is attached hereto as Exhibit 4.

4. Minimum Variation. A statement of the minimum variation of the provision of the Zoning Ordinance that would be necessary to permit the proposed use, construction, or development:

The minimum variation necessary is the variation requested above, i.e., a variation of the front yard setback from 69.58 feet to 57.26 feet for a total variation 12.32 feet.

5. Standards for Variation. A statement of the characteristics of the 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:

The Subject Property is located along E. Seventh Street which is a unique area of the Village in that it is a curved street and properties that front Seventh Street are not of uniform size or shape. Consequently, the properties along Seventh Street do not have uniform setbacks.

As shown on Exhibit 5, the lot sizes along Seventh Street are varied. Those properties with greater setbacks are generally deeper lots, which necessarily allow principal residences to be built a greater distance from the street. The existence of these larger lots and larger setbacks on E. Seventh Street, to the west of the Subject Property, has the effect of skewing upward the front setback calculation as required by the Village Code.

Using the setback calculation set forth in the Village Code results in a front yard setback of 69.58 feet. This setback would be unduly harsh and force the Owner to construct a much smaller house than it has planned and a much smaller house than is allowed under the floor area limits, lot coverage limits and other provisions of the Village Zoning Code.

The site plan proposed by the Owner, see Exhibit 4, depicts the location of a house that is compliant with all aspects of the Village's Zoning Code, including the 50-foot rear setback requirement, but with the front setback reduced to 57.26 feet. Requiring a larger front setback would force the Owner to either seek a variation with respect to the

The requested variation conforms to the Village's Official Comprehensive Plan and Official Map in that the Owner intends to construct a single family residential home in the R-1 district.

11. Zoning Standards. 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.

See below.

12. Successive Application. 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.

Not Applicable.

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:

1. Title. Evidence of title or other interest you have in the Subject Project, date of acquisition of such interest, and the specific nature of such interest.

Evidence of title is attached hereto as Exhibit 3.

2. Ordinance Provision. The specific provisions of the Zoning Ordinance from which a variation is sought:

The owner seeks relief from Section 3-110(D)(1) which sets forth the minimum front yards setbacks for properties in the Village.

3. Variation Sought. The precise variation being sought, the purpose thereof, and the specific feature or features of the proposed use, construction or development that require a variation.

As calculated by explanatory note 8 to Section 3-110(D)(1) (Front and Corner Side Adjustments on Partially Developed Frontages), the front yard setback for this property is 69.58 feet.

The owner is seeking a variation to reduce the front yard setback to 57.26 feet. The purpose of the reduction is to allow the owner to maintain the mandatory rear yard

rear setback or to build a much smaller house than is allowed under the Village Zoning Code and than is otherwise appropriate for this site.

A setback of 57.26 would create uniformity of setbacks with the houses directly to the west (731 E. Seventh Street) and east (749 E. Seventh Street) of the Subject Property. The setbacks on these properties are, respectively, 55.08 feet and 57.44 feet. In addition, Village staff has informed the Owner that prior to its demolition (which demolition took place within the last five years) the former house located on the property had a setback of 55.59 feet, which is consistent with the variation being requested.

(a) Unique Physical Condition. 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 Subject Property, like all properties that front E. Seventh Street is irregularly shaped. Unlike the properties that front Taft Road and Wilson Lane, which are generally regular and uniform in shape and size, there is no uniformity of lot size or shape, or of lot setback, among the properties that front E. Seventh Street in this neighborhood.

(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 property and of surrounding properties is not the result of any action that the Owner or a prior owner has taken. It is a consequence of the original subdivision of the property.

(c) Denied Substantial Rights. 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.

Carrying out the strict letter of the provision from which the variation is sought would force the Owner to construct a house that is approximately 1,000 square feet (20%) smaller as compared to what the Village would otherwise allow with respect to floor area. It would force the construction of a house that is undersized as compared to other newly constructed homes in the Village and as compared to the trend of development in the Village.

(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 Owner is not seeking a special privilege, but is seeking to realize the full potential of the lot and to construct a house that is consistent with all aspects of the Village Code and consistent with type of construction currently taking place within the Village.

(e) Code and Plan Purposes. 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 variation would not result in a use out of harmony with the Village Code or the Village's Official Comprehensive plan. This is a single family house appropriately located in the R-1 zoning district.

(f) Essential Character of the Area. 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

(5) Would unduly tax public utilities and facilities in the area; or

(6) Would endanger the public health or safety.

The requested variation would not alter the essential character of the area. The requested variation would allow a house with a setback that is consistent with the prior house on this site and consistent with the setbacks of the houses to the immediate east and west. The variation would, in fact, create a continuity of setbacks among the three lots. The requested variation has no negative impact on public welfare, use and enjoyment, property values, supply of light and air, congestion, risk of flood or fire, use of public

utilities or public health and safety. Neighboring property owners are expected to support the request for variation.

(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.

Without the requested variation, the Owner will not be able to construct the house as depicted on Exhibit 4. To build the house as depicted and still comply with the front yard setback, the Owner would need relief from the rear setback. Adjusting the front yard setback has far less impact on neighboring homes than adjusting the rear yard setback and the Owner does not believe that an adjustment to the rear yard setback is a sensible solution. Rather, relief from the front yard setback requirement is the only sensible way in which the house can be constructed as planned.

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.

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.

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.

A full set of architectural plans, including blue prints, is on file with the Village. The Owner will make a set of plans available to the Zoning Board of Appeals for its review in conjunction with the Application.

SECTION IV

Application Fee and Escrow. 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.

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 application, 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: MJMS, LLC.

Signature of Owner:



Date:

JUNE 10, 2014

APPLICATION FOR VARIATION 741 E. SEVENTH STREET

LIST OF EXHIBITS TO APPLICATION

1. List of neighboring owners entitled to certified mail notice.
2. Survey
3. Evidence of Title
4. Site plan showing location of house with approved variation
5. Survey of Properties 707-755 E. Seventh Street

Joan Geary
710 Bittersweet
Hinsdale IL 60521

Catherine Fuller
722 Bittersweet
Hinsdale IL 60521

W&K Meyer
732 Bittersweet
Hinsdale IL 60521

Carl Ivanelli
736 Bittersweet
Hinsdale IL 60521

Kenneth Quaas
802 Bittersweet
Hinsdale IL 60521

Luke Griffin
610 Harding
Hinsdale IL 60521

Thomas Pikorski
640 Harding
Hinsdale IL 60521

Arthur H Stange
615 Harding
Hinsdale IL 60521

Martin Garay
621 Harding
Hinsdale IL 60521

RC Brandys
635 Harding
Hinsdale IL 60521

Matthew Riordan (648 Harding)
352 Mineola
Hinsdale IL 60521

Carmen Baldoza
700 Harding
Hinsdale IL 60521

DuPage National Bank (755 E 7th St)
P.O. Box 1000
Chicago IL 60186

Jacqueline Vidmar
749 E 7th St
Hinsdale IL 60521

M&K Marinko (731 E 7th St)
111 N. Lincoln
Hinsdale IL 60521

John Finnegan
717 E 7th St
Hinsdale IL 60521

Allen Koranda
727 E 7th St
Hinsdale IL 60521

MJ Carusillo
707 E 7th St
Hinsdale IL 60521

Mary Sullivan
710 Wilson
Hinsdale IL 60521

RF Menza
720 Wilson
Hinsdale IL 60521

William Lagor
721 Wilson
Hinsdale IL 60521

Cheff Ronald F
701 Wilson
Hinsdale IL 60521

Bruce Winterhof
701 Taft
Hinsdale IL 60521

John C Meehan Jr
707 Taft
Hinsdale IL 60521

EXHIBIT

1

Prepared by:

Joseph S. Farrell
4725 N. Western Avenue
Suite 220
Chicago, IL 60625

and when recorded return to:

Elizabeth K. McCloy, Esq.
Sidley Austin LLP
One South Dearborn
Chicago, Illinois 60603

WARRANTY DEED

THE GRANTOR, WOODLANDS DEVELOPMENT, L.L.C., an Illinois limited liability company, of 2625 Butterfield Road, Suite 230S, Oak Brook, IL 60523 County, for and in consideration of TEN & 00/100 DOLLARS, and other good and valuable consideration in hand paid, CONVEY and WARRANT to MJMS, LLC, an Illinois limited liability company, with an address of 550 E. First Street, Hinsdale, Illinois 60521, the following described Real Estate situated in the County of Cook in the State of Illinois, to wit:

LOT 11 IN BLOCK 1 IN THE "WOODLANDS", HINSDALE, ILLINOIS, BEING A SUBDIVISION OF THE SOUTHWEST ¼ OF SECTION 7, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THE WEST 1.312.4 FEET OF THE NORTH 718.2 FEET OF SAID SOUTHWEST ¼, IN COOK COUNTY, ILLINOIS.

Subject only to: the title exceptions set forth in that certain Owners Title Insurance Policy issued by First American Title Insurance Company (File No. C-2438632) dated effective as of September 5, 2013.

THIS IS NOT HOMESTEAD PROPERTY

Permanent Real Estate Index Numbers: 18-07-300-020

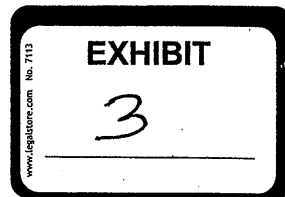
Address of Real Estate: 741 E. Seventh Street, Hinsdale, IL 60521

Dated this 5th day of September, 2013

WOODLANDS DEVELOPMENT, L.L.C., an
Illinois limited liability company

By: Megcor Development, L.L.C.

By: 
Randal A. Zahora Manager



CHICAGOLAND SURVEY COMPANY INC.

PROFESSIONAL DESIGN FIRM LICENSE NO: 184-005262 EXPIRES 04/30/2015

6501 W. 65TH STREET CHICAGO, ILLINOIS 60638 (773) 271-9447
CHICAGOLANDSURVEY@SBCGLOBAL.NET

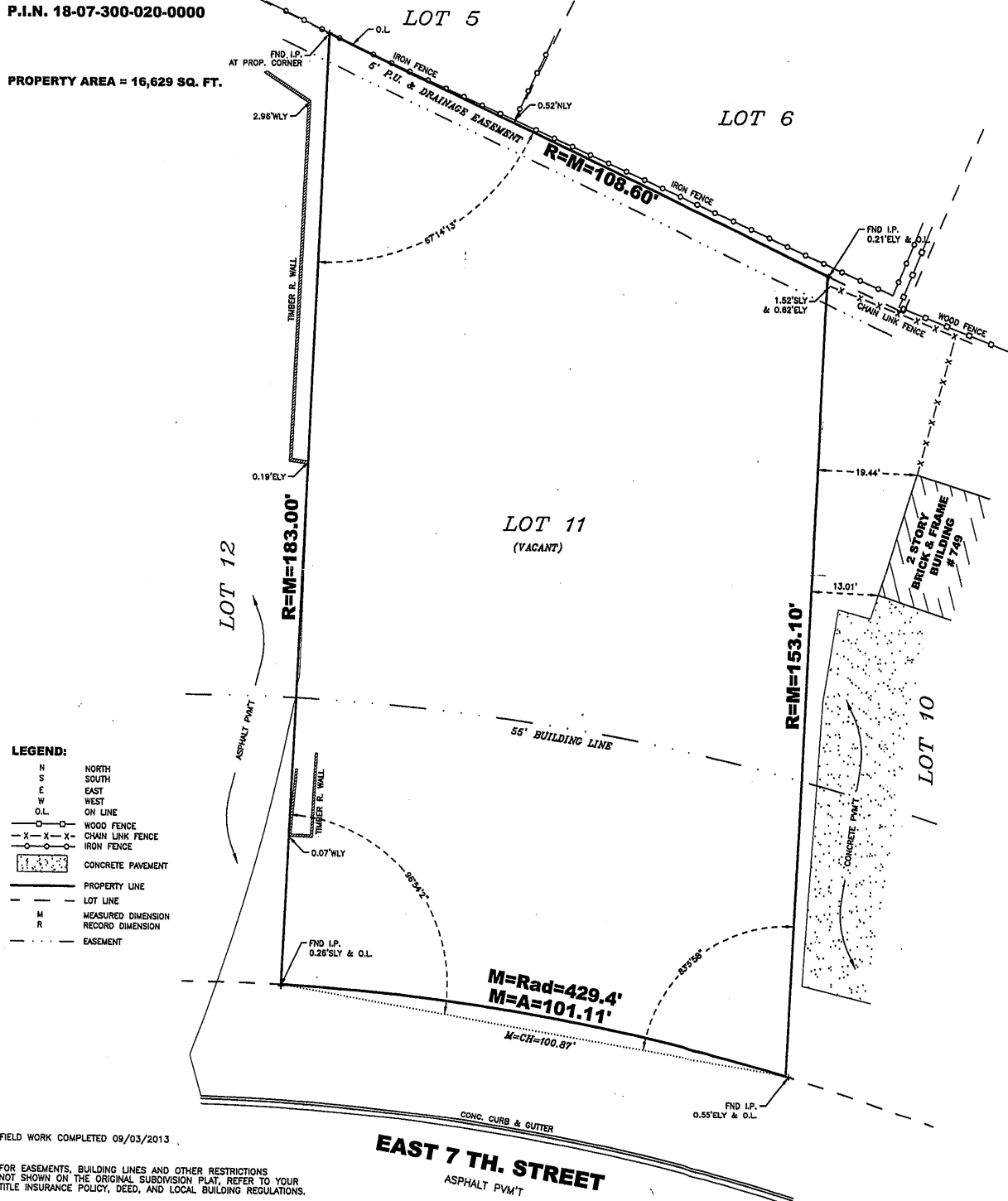
PLAT OF SURVEY

OF
LOT 11 IN BLOCK 1 IN "THE WOODLANDS", HINSDALE, ILLINOIS, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 7,
TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THEREFROM THE WEST 1,312.4 FEET
OF THE NORTH 718.2 FEET OF SAID SOUTHWEST 1/4, IN COOK COUNTY, ILLINOIS.

PROPERTY KNOWN AS: 741 EAST SEVENTH STREET, HINSDALE, ILLINOIS.

P.I.N. 18-07-300-020-0000

PROPERTY AREA = 16,629 SQ. FT.



LEGEND:

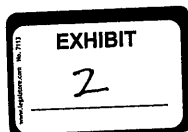
- N NORTH
- S SOUTH
- E EAST
- W WEST
- O.L. ON LINE
- WOOD FENCE
- CHAIN LINK FENCE
- IRON FENCE
- CONCRETE PAVEMENT
- PROPERTY LINE
- LOT LINE
- M MEASURED DIMENSION
- R RECORD DIMENSION
- EASEMENT

FIELD WORK COMPLETED 09/03/2013

FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS
NOT SHOWN ON THE ORIGINAL SUBDIVISION PLAT, REFER TO YOUR
TITLE INSURANCE POLICY, DEED, AND LOCAL BUILDING REGULATIONS.



ORDERED BY: JOSEPH FARRELL
FILE NO.: 110-07



LICENSE EXPIRES
11/30/2014

STATE OF ILLINOIS }
COUNTY OF COOK } S.S.

THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED
WERE MADE BY ME, OR BY PERSONS UNDER MY DIRECT SUPERVISION AND
CONTROL. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS
MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
DATED THIS 3 RD DAY OF SEPTEMBER 2013.

BY: *Roger P. Jacob*
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3384

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

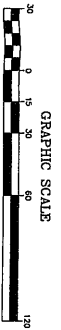
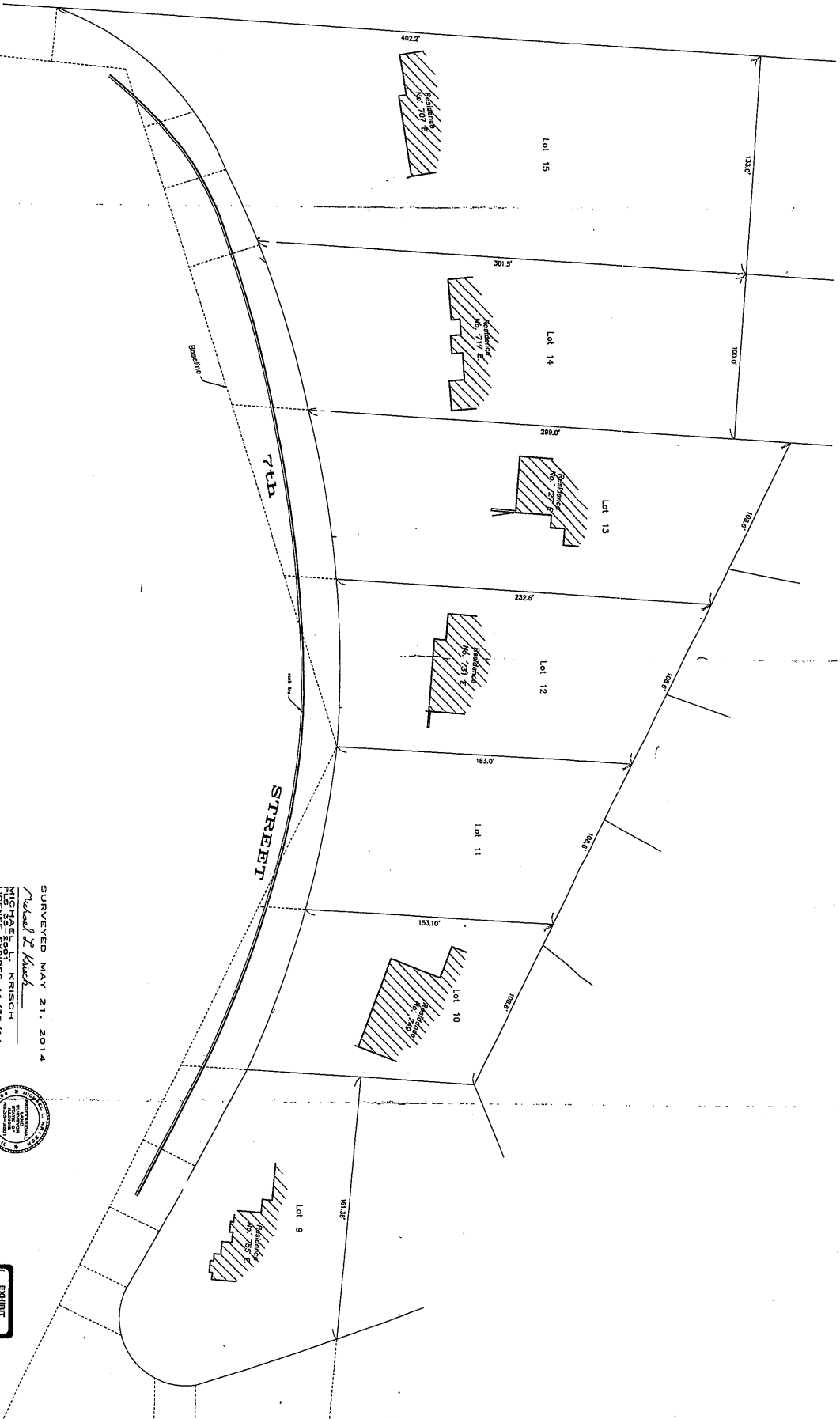
I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY, that Randal A. Zahora, personally known to me to be the same person whose name is subscribed to the forgoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument, as his free and voluntary act and deed as an authorized agent for said limited liability companyt, for the uses and purposes therein set forth.

Given under my hand and official seal, this 5th day of September, 2013.


Notary Public

OFFICIAL SEAL
MARGARET A GISCH
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES: 05/16/16

707 - 755 E. 7th STREET
HINSDALE, ILLINOIS



SURVEYED MAY 21, 2014
Nicholas Z. Krusch
 MICHAEL J. KRISCH
 LICENSE EXPIRES 11/30/14



Prepared for: MJMS, LLC

EXHIBIT
 5

KRISCH LAND SURVEYING,
 PROFESSIONAL DESIGN FIRM LICENSE NO. 184-WKS
 PROFESSIONAL DESIGN FIRM LICENSE NO. 184-WKS
 SURVEYING - CONSULTING - CONSTRUCTION

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND ARCHITECT. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT IS PROHIBITED. THE USER ASSUMES ALL LIABILITY FOR THE ACCURACY AND COMPLETION OF THE PROJECT.



ELEVATION DATA IS NAD 83

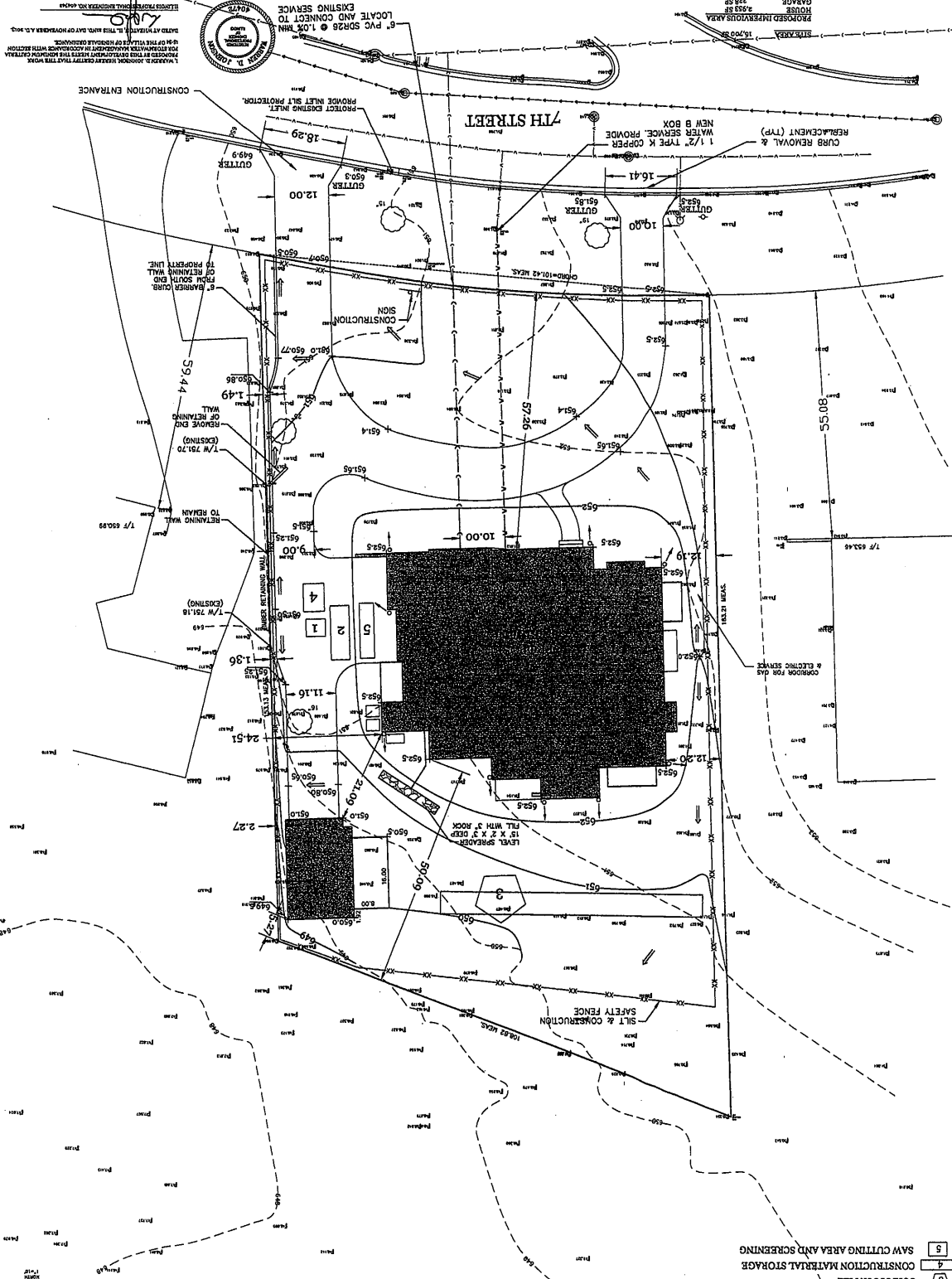
LOCATE AND CONNECT TO EXISTING SERVICE

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ENGINEER AND ARCHITECT. THEY ARE TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THESE PLANS WITHOUT THE WRITTEN CONSENT OF THE ENGINEER AND ARCHITECT IS PROHIBITED. THE USER ASSUMES ALL LIABILITY FOR THE ACCURACY AND COMPLETION OF THE PROJECT.



EXISTING GRADES	PROPOSED GRADES
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PROPOSED IMPROVEMENTS	EXISTING IMPROVEMENTS
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PROPOSED GRADING PLAN

LEGEND:

- 1. PORTABLE TOILET
- 2. REFUSE DUMPSTER
- 3. SOIL STOCK PILE
- 4. CONSTRUCTION MATERIAL STORAGE
- 5. SAW CUTTING AREA AND SCREENING

ADDRESS: 741 E. 7TH STREET, MINNEAPOLIS, MINN. 55415

DATE: 10-07-2000

SCALE: 1" = 30'-0"

8b.

MEMORANDUM

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

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

DATE: June 13, 2014

RE: Zoning Variation – V-05-14; 125 W. Second Street

In this application for variation, the applicant requests relief from the front yard setback requirements set forth in section 3-110-D1 for the reconstruction of an office building. The applicant is requesting a 15.3' reduction in the required front yard from 35' to 19.70'.

It should be noted that this request is being driven by the fact that the applicant removed too much of the original structure during construction thereby "demolishing" the structure by definition. Given that the structure originally had a non-conforming front yard setback, any rights to maintain this non-conformity were lost once the structure was "demolished". There are no other changes proposed from what the Zoning Board of Appeals granted under V-14-13 heard earlier this year. A copy of that memo and Final Decision is attached for your reference.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-05-14

FINAL DECISION

VILLAGE OF HINSDALE ZONING BOARD OF APPEALS PETITION FOR VARIATION

Zoning Calendar: V-14-13

Petitioner: Kolbrook Design, Inc.

Meeting held: Public Hearing was held on Wednesday, January 15, 2014 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 December 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: Section 9-104 (G)(2)(b) to allow a parking lot in a corner side yard.

Section 9-107(A)(1) to allow less than the required 10'-0" landscape buffer, along the corner side (west) and front (south) yards of the proposed parking lot.

Section 9-101E which refers to Section 6-111 to allow the proposed parking lot to have:

A rear (north) parking lot yard/setback of 3'-6" in lieu of the 25'-0" required.

A corner side (west) parking lot yard/setback of 5'-0", in lieu of the 35'-0" required.

This relief is being requested in order to construct a parking lot at the above mentioned address in order to provide off-street parking for their clients. The property is zoned O-1, Specialty Office District.

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.

MEMORANDUM

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

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

DATE: December 19, 2013

RE: Zoning Variation – V-14-13 125 W. 2nd Street

In this application for variation, the applicant requests relief from;

- Section 9-104 (G)(2)(b) to allow a parking lot in a corner side yard.
- Section 9-107(A)(1) to allow less than the required 10'-0" landscape buffer, along the corner side (west) and front (south) yards of the proposed parking lot.
- Section 9-101E which refers to Section 6-111 to allow the proposed parking lot to have:
 - A rear (north) parking lot yard/setback of 3'6" in lieu of the 25'-0" required
 - A corner side (west) parking lot yard/setback of 5'-0", in lieu of the 35'-0" required

This relief is being requested in order to construct a parking lot at the above mentioned address in order to provide off-street parking for their clients. The property is zoned O-1, Specialty Office District.

The applicant has requested that this project be reviewed by the Plan Commission concurrent with this request for variation. The Plan Commission will need to review and recommend approval of the project regardless of whether the Zoning Board of Appeals grants some or all of the relief requested or not.

Staff has done a preliminary review of the concept plans submitted in order to identify those areas where relief will be required. The applicant has confirmed that that he intends to comply with all bulk zoning regulations other than those specifically requested in this application. A zoning analysis has been provided by the applicant as part of this submittal.

cc: Kathleen Gargano, Village Manager
Zoning file V-14-13

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:

Chairman Braselton went over the provisions in 6-101 of the Zoning Code and the purpose and intent of the O-1 zoning district.

Member Neiman discussed the standards for variation and in how many cases the ZBA has taken the role of strict constructionists of the code versus the number of times that perhaps they had not and still granted the variance even though they didn't quite fit. He added that the central question was whether a parking lot best maintains the essential residential character of an area or more on-street parking. He added that most of the neighbors stated that their preference was for a parking lot to more on-street parking, and that in his view, a nicely landscaped parking lot over even more on-street parking best maintained the essential residential character of the area.

There were comments made about the nature of the area and the risks that residents incurred when they purchased in a transitional area.

Member Moberly asked whether medical offices were permitted in the O-1 and the amount of traffic in this area. He agreed with comments that Member Neiman made and summarized with a "pick-your-poison" statement regarding where the additional cars be placed; either in the street or in a parking lot.

Member Biggert stated that the O-1 districts posed a unique situation and felt that the applicant should be given credit for modifying the original proposal and agreed with Member Neiman's comments.

Member Connelly stated that given the number of elderly patients likely using this facility, parking on-site would seem to him to be a safer alternative to having them walking up and down the streets in January.

Chairman Braselton asked that in the future, when concurrent applications are filed, that the applicant start at the Zoning Board of Appeals rather than the Plan Commission regardless of when dates fell for the meetings.

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 Neiman and seconded by Member Connelly.

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

NAYS: None

ABSTAIN: None

ABSENT: Member Callahan, Giltner

THE HINSDALE ZONING BOARD OF APPEALS

Chairman Debra Braselton

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

VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT DEPARTMENT
 19 East Chicago Avenue
 Hinsdale, Illinois 60521-3489
 630.789.7030

Application for Certificate of Zoning Compliance

You must complete all portions of this application. If you think certain information is not applicable, then write "N/A." If you need additional space, then attach separate sheets to this form.

Applicant's name: Kolbrook Design, Inc. (Attn: Steven Kolber)
Owner's name (if different): Christina Steil
Property address: 125 W. 2nd Street
Property legal description: (See attached to this Document)
Present zoning classification: O-1 Specialty Office
Square footage of property: 8,730 sq ft
Lot area per dwelling: 8,730 sq ft
Lot dimensions: 100' x 87'
Current use of property: Specialty Office
Proposed use: ☐ Single-family detached dwelling
☒ Other: Specialty Office (Medical)
Approval sought: ☐ Building Permit ☒ Variation
☐ Special Use Permit ☐ Planned Development
☐ Site Plan ☐ Exterior Appearance
☐ Design Review
☐ Other: _____

Brief description of request and proposal:

Seeking Variance for Front Yard Setback as it Relates to Existing Building Footprint

Plans & Specifications: [submit with this form]

Provided: **Required by Code:**

Yards:

front:	19'-8-1/2"	35' 0"	Seeking Variance
interior side(s)	10' 5-3/4"	10' 0"	



RECEIVED
 CB 6/13/14

Provided:**Required by Code:**

corner side	46' 5-1/4"	35' 0"	
rear	19' 6"	25' 0"	Variance Previously Granted

Setbacks (businesses and offices): SITE (PARKING)

front:	54'-0"	35' 0"	Variance Previously Granted
interior side(s)	N/A	10' 0"	Variance Previously Granted
corner side	5'-0"	35' 0"	Variance Previously Granted
rear	3'-6"	25' 0"	Variance Previously Granted

others:

Ogden Ave. Center:

York Rd. Center:

Forest Preserve:

Building heights:

principal building(s):	30' 0"	30' 0"
accessory building(s):	_____	_____

Maximum Elevations:

principal building(s):	2.5 Stories	2.5 Stories
accessory building(s):	_____	_____

Dwelling unit size(s):

Total building coverage:	18%	35%
--------------------------	-----	-----

Total lot coverage:	5,064 sqft. (58.3%)	80%
---------------------	---------------------	-----

Floor area ratio:	39.5%	40%
-------------------	-------	-----

Accessory building(s): N/A

Spacing between buildings:[depict on attached plans]

principal building(s):	_____	_____	_____
accessory building(s):	_____	_____	_____


Number of off-street parking spaces required: 0 Required; 5 Provided (Variance Granted)

Number of loading spaces required: _____

Statement of applicant:

I swear/affirm that the information provided in this form is true and complete. I understand that any omission of applicable or relevant information from this form could be a basis for denial or revocation of the Certificate of Zoning Compliance.

By:


Applicant's signatureSTEVEN KOLBER
Applicant's printed nameDated: JUNE 12, 2014.



December 6, 2013

Steil Office: 125 W. 2nd Street

Supplemental Information: Property Legal Description

Legal Description:

The west 1/2 of Lots 7 and 10, in Block 2 in J.L. Case's addition to Hinsdale, being a subdivision in the northwest 1/4 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



June 12, 2014

Steil Office: 125 W. 2nd Street
Supplemental Information: Zoning Variance Application

Section I:

1. Owner: Name, address, and telephone number of Owner
 - a. Christina Steil
949 Cleveland Road
Hinsdale, IL 60521
[REDACTED]
2. Trustee Disclosure: In the case of a land trust; the name, address, and telephone number of all trustees and beneficiaries of the trust:
 - a. N/A
3. Applicant: Name, address, and telephone number of applicant, if different from the Owner, and Applicants interest in the subject property.
 - a. Kolbrook Design, Inc.
828 Davis Street, Suite 300
Evanston, IL 60201
Tel: 847-492-1992
4. Subject Property: Address and legal description of the subject property (use separate sheet for legal description if necessary).
 - a. Address:
125 W. 2nd Street, Hinsdale, IL 60521
 - b. Legal Description:
The west 1/2 of Lots 7 and 10, in Block 2 in J.L. Case's addition to Hinsdale, being a subdivision in the northwest 1/4 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
5. Consultants: Name and address of each professional consultant advising applicant with respect to this application:
 - a. Architect:
Kolbrook Design, Inc.
828 Davis Street, Suite 300
Evanston, IL 60201

- b. General Contractor:
Craig Workman Builders (Attn: Craig Workman)
11735 Briarwood Court Burr Ridge, IL 60527
 - c. Civil Engineer:
Eriksson Engineering Associates, Ltd. (Attn: Chris Keppner)
601 W. Randolph St., Suite 500, Chicago, IL 60661
 - d. Structural Engineer:
The Structural Group, Ltd. (Attn: Michael Bielema)
707 Lake Cook Road, Suite 107, Deerfield, IL 60015
 - e. Landscape Contractor:
Bergfeld Studios, Ltd (Attn: Jeff Bergfeld)
911 Edward Street, Henry, IL 61537
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
7. Neighboring Owners: Submit with this application, a list showing the names and address of each Owner of (1) property within 250 lineal feet in all direction 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 immediately adjoining or across an alley from any such frontage.
- After the Village has prepared the legal notice, the applicant/agent must mail by certified mail, "return receipt requested" to each property's owner/occupant. The applicant/agent must then fill out, sign, and notarize the "Certification of Proper Notice" form, returning the form and all certified receipts to the Village.
- a. Neighboring Owners: (Attached to this Application)
8. Survey: Submit with this application a list recent survey, certified by a registered land surveyor, showing existing lot lines and dimensions, as well as all easements, all public and private right-of-way, and all streets across and adjacent to the subject property.
- a. Plat of Survey: (Attached to this Application)
9. Existing Zoning: 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
- a. 119 S. Vine St.
Zone O1 - Specialty Office District
 - b. 204 S. Grant St.
Zone IB - Institutional Building District
Zion Lutheran School/Church
 - c. 60 S. Grant St.
Zone O2 – Limited Office District

- Gibbons Funeral Parlor
- d. 104 S. Grant St.
Zone O1 - Specialty Office District
Harris Bank Parking Lot
 - e. 108 S. Grant St.
Zone O1 - Specialty Office District
Single Family Home
 - f. 112 S. Grant St.
Zone O1 - Specialty Office District
Single Family Home
 - g. 220 S. Grant St.
Zone IB - Institutional Building District
Zion Lutheran School/Church
 - h. 214 S. Grant St.
Zone R4 – Single Family Residential District
Single Family Home
 - i. 50 S. Lincoln St.
Zone O2 – Limited Office District
Harris Bank
 - j. 126 W. 1st St.
Zone O2 – Limited Office District
Medical – Larson Eye Clinic
 - k. 118 W. 1st St.
Zone O2 – Limited Office District
Bank of America
 - l. 114 W. 1st St.
Zone O2 – Limited Office District
Harris Bank
 - m. 120 S. Lincoln St.
Zone O2 – Limited Office District
SBC Satellite Retail
 - n. (4) Units at 107 S. Grant St.
Zone O2 – Limited Office District
Multi-Family Residential
 - o. 111 S. Grant St.
Zone O1 - Specialty Office District
 - p. **SUBJECT PROPERTY – 125 W. 2nd St.**
Zone O1 - Specialty Office District
Medical – Dermatologist Office
 - q. 126 W. 2nd St.
Zone R4 – Single Family Residential District
Single Family Home
 - r. 116 W. 2nd St.
Zone R4 – Single Family Residential District
Single Family Home
 - s: 204 S. Lincoln St.

- Zone R4 – Single Family Residential District
Single Family Home
- t. 210 S. Lincoln St.
Zone R4 – Single Family Residential District
Single Family Home
- u. 218 S. Lincoln St.
Zone R4 – Single Family Residential District
Single Family Home
- v. 119 W. 3rd St.
Zone R4 – Single Family Residential District
Single Family Home
- w. 123 W. 3rd St.
Zone R4 – Single Family Residential District
Single Family Home
- x. 127 W. 3rd St.
Zone R4 – Single Family Residential District
Single Family Home

10. Conformity: 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 Official Map. Where the approval being requested does not conform to the Official Comprehensive Plan or to the Official Map, the statement should set forth the reasons justifying the approval despite such lack of conformity.

a. Front Yard Setback (35'-0") – Building:

The building renovation was designed to stay within the confines of the existing building's footprint which, in its pre-existing state, failed to comply with the required 35'-0" front yard setback. The building stands 19'-8-1/2" back from the front property line and if not for the previously unforeseen structural and framing deficiencies, would have been grandfathered in and approved. During construction (previously unforeseeable), it was discovered that the existing framing was in a deteriorated state; beyond repair and was thus replaced in kind. **See attached letter for full explanation.** With that we seek variance from the required 35'-0" setback. While new materials/framing were used to assure future safety and structural integrity, the building did not change in size from its existing state (along the front property line).

11. Zoning Standards: 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.

a. Front Yard

Variance Required (See #10a Above)

12. Successive Application: 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.

a. N/A

Section II:

1. **Title:** Evidence of title or other interest you have in the Subject Project, date of acquisition of such interest, and the specific nature of such interest.
2. **Ordinance Provision:** The specific provisions of the Zoning Ordinance from which a variation is sought:
 - a. Section 6-111: Bulk, Space, and Bulk Requirements (Zone O-1)
 - i. Front Yard Setback of 35'-0"
3. **Variations Sought:** The precise variation being sought, the purpose therefore, and the specific feature or features of the proposed use, construction, or development that require a variation.
 - a. **Variation from Front Yard Setback (35'-0") – Building:**

The building renovation was designed to stay within the confines of the existing building's footprint which, in its pre-existing state, failed to comply with the required 35'-0" front yard setback. The building stands 19'-8-1/2" back from the front property line and if not for the previously unforeseen structural and framing deficiencies, would have been grandfathered in and approved. During construction (previously unforeseeable), it was discovered that the existing framing was in a deteriorated state; beyond repair and was thus replaced in kind. ***See attached letter for full explanation.*** With that we seek variance from the required 35'-0" setback. While new materials/framing were used to assure future safety and structural integrity, the building did not change in size from its existing state (along the front property line).
4. **Minimum Variation:** A statement of the minimum variation of the provisions of the Zoning Ordinance that would be necessary to permit the proposed use, construction, or development.
 - a. **Variation of the Front Yard Setback (Building):**

We ask that a variation be granted to locate the Front Yard Setback Line 19'-8-1/2" from the south property line to accommodate what was and still is the existing extent of the building's front façade.
5. **Standards for Variation:** A statement of the characteristics of the Subject Property that prevent compliance with the provisions of the Zoning Ordinance and the specific facts you believe to support the grant of the required variation.
 - a. N/A

In addition to your general explanation, you must specifically address the following requirements for the grant of a variation.

- a. **Unique Physical Condition:** 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.

- i. The existing lot previously served an office building located such that it failed to comply with the front yard setback requirement (35'-0"). The remodeled building was designed to utilize the full extent of the existing building
- 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.
 - i. The existing building's site utilization was known to the Property Owner upon purchase of the site, and was our full intent to occupy the same. The "physical quality" of the building's framing/structure was not known until construction revealed a deteriorated state of the existing building's framing. The state of disrepair was not caused or known by the Owner, but it was later felt necessary to make the necessary repairs to the building for the sake of the public's health and welfare.
- c. Denied Substantial Rights: 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.
 - i. N/A
- 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.
 - i. N/A
- e. Code and Plan Purposes: 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.

- i. The use and development of the property remains consistent with the neighboring properties in the O-1 Zoning District. While we seek variance for the yard setbacks, the look and feel of the resulting property (if approved) will duplicate what originally sat on the site and will still harmonize with the adjacent properties and
- f. Essential Character of the Area. The variation would not result in a use or development of the Subject Property that:
- o 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
 - o Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
 - o Would substantially increase congestion in the public streets due to traffic or parking; or
 - o Would unduly increase the danger of flood or fire; or
 - o Would unduly tax public utilities and facilities in the area; or
 - o Would endanger the public health or safety.
- i. The approval of the aforementioned variance will have no detrimental impact on the public welfare or the value of the property itself; or those adjacent to the Subject Property as it will remain the same as the existing building.
- 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.
- i. Given the size and shape of the lot, as well as the conditions imposed by the existing structure, there is virtually no possible means by which to provide adequate workspace and functionality to a building that would be required to comply with the required front yard setback of 35'-0"

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. (Attached to this Application)

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. (Attached to this Application)

Section IV:

1. Application Fee and Escrow. 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.
3. 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 corrects to the best of his/her knowledge.

Name of Owner: Christian Stahl

Signature of Owner: Christian Stahl

Name of Applicant: STEVEN KOLBER

Signature of Applicant: SK

Date: 6-12-2014



June 10, 2014

Mr. Rob McGinnis
Village of Hinsdale
19 East Chicago Ave.
Hinsdale, IL 60521

RE: 125 W. 2nd Street

Dear Mr. McGinnis,

Thank you for taking the time to meet with me and Craig Workman regarding the ongoing project at 125 W. 2nd Street. As we discussed, since the majority of the original framing of the building has been replaced, it is understood that technically the project has become a demolition in lieu of a remodel as originally presented.

As we explained during our meeting, upon removal of the old existing finishes, and during the demolition process, it became clear that the original balloon framed exterior walls were bowed out considerably at the top 36" of the studs. We suspect this was due to an unusual amount of layered roofing that was on the building creating excessive downward and outward forces over the years. Efforts were made on site to remedy this, however these were not successful. Since only the south elevation, and portions of the east and west elevations were going to be re-used per the original plans, it was determined on site that the most effective and safe repair to rectify the bowed framing was to replace it to match the new framing on the remainder of the building.

Since we were not altering anything that constitutes the ultimate finish look of the building, enlarging the original footprint, or expanding area that would be considered against the approved FAR for the building, it did not occur to our team that the technical definitions of demolition vs. remodel would come into play.

It is clearly understood that a front yard variance needs to be acquired now due to the necessary repairs to the framing. And we will begin that process immediately. However, we respectfully request that we are allowed to progress with the construction accordingly. Since ultimately the finished product will remain essentially the same as presented on the submitted permit documents, and as presented to the numerous committees during our initial zoning and planning proceedings, we feel that the intent of a major upgrade to an existing structure has not changed. Significant investment was made during the incredibly horrible winter season to keep the building intact...and it was not until permits were issued and construction began when the aforementioned framing issues came to light.

Obviously our client has made a significant investment in the property and we want to deliver a properly constructed quality product that not only reflects the investment, but remains true to what was presented publically during all of our municipal meetings. To leave the original framing intact would not have been in the best interest of the project and I believe we all can agree that the repair/replacement of the framing was the correct course of action.

Our client is in a temporary location with a limited lease time and we would like to ensure the project moves forward without any delay. We feel that since the repairs undertaken to remedy the bowed framing are indeed repairs.....rather than "liberties" taken in any shape or form.....and are truly necessary for the sound construction of the project; coupled with the fact that the ultimate intent of design throughout has not been enhanced or diminished in any way - the opportunity to continue working on the project accordingly is worth the municipality's consideration.

Please let me know if you should have any questions. We look forward to hearing back from you at your earliest convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'SKolber', with a stylized flourish at the end.

Steven Kolber, AIA
630-300-4699

828 Davis Street
Suite 300
Evanston, IL 60201

www.kolbrook.com

50 S. LINCOLN

111 N. 1st

120 S. LINCOLN

(A) 101 S. GRANT

111 S. GRANT

120 N. 2nd

204 S. LINCOLN

210 S. LINCOLN

218 S. LINCOLN

111 N. 3rd

121 N. 3rd

121 N. 3rd

GRANT

60 S. GRANT

104 S. GRANT

108 S. GRANT

112 S. GRANT

204 S. GRANT

208 S. GRANT

204 S. GRANT

210 S. GRANT

204 S. GRANT

214 S. GRANT

Lincoln St

1st St

119 S. 1st

204 S. GRANT

208 S. GRANT

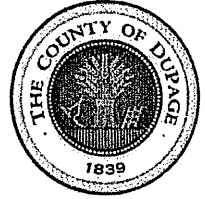
2nd St

Lincoln St

DuPageMaps - Parcel Report

User Request Date: Wednesday, September 4, 2013

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DuPage County IT - GIS Department
421 N. County Farm Rd
Wheaton, IL 60187
USA
Ph# (630) 407-5000
www.dupageco.org

PIN	0912110005
Bill Name	FORD TR, PATRICK D
Property Number	119
Property Street Direction	S
Property Street Name	VINE ST
Property Apartment	
Property City	HINSDALE
Property Zip	60521

PIN	0912110006
Bill Name	ZION LUTHERAN CHURCH
Property Number	204
Property Street Direction	S
Property Street Name	GRANT ST
Property Apartment	
Property City	HINSDALE
Property Zip	60521

PIN	0912110007
Bill Name	ZION LUTHERAN CHURCH
Property Number	204
Property Street Direction	S
Property Street Name	GRANT ST
Property Apartment	
Property City	HINSDALE
Property Zip	60521

PIN	0912110011
Bill Name	HARRIS BK HINSDALE
Property Number	104
Property Street Direction	S
Property Street Name	GRANT ST
Property Apartment	
Property City	HINSDALE
Property Zip	60521

PIN 0912110012
Bill Name GLIESMAN, FREIDA
Property Number 108
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912110013
Bill Name J JORDAN HOMES LLC
Property Number 112
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912110014
Bill Name ZION LUTHERAN CHURCH
Property Number 204
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912110015
Bill Name ZION LUTHERAN CHURCH
Property Number 204
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912110017
Bill Name GIBBONS REAL ESTATE LLC
Property Number 60
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912111010
Bill Name ZION LUTHERAN CHURCH
Property Number 204
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912111011
Bill Name ZION LUTHERAN CHURCH
Property Number 220
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912111012
Bill Name ZION LUTHERAN CHURCH
Property Number 204
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912111013
Bill Name LYALL, DEPAK & JEAN
Property Number 214
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912114001
Bill Name HARRIS BANK OF HINSDALE
Property Number 50
Property Street Direction S
Property Street Name LINCOLN ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912115001
Bill Name BRUCE LARSON R E LLC
Property Number 126
Property Street Direction W
Property Street Name 1ST ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912115003
Bill Name HARRIS BANK OF HINSDALE
Property Number 114
Property Street Direction W
Property Street Name 1ST ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912115006
Bill Name SOUTH GRANT ST PROPERTIES
Property Number 111
Property Street Direction S
Property Street Name GRANT ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912115007
Bill Name 125 W SECOND STREET LLC
Property Number 125
Property Street Direction W
Property Street Name 2ND ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912115010
Bill Name SBC
Property Number 120
Property Street Direction S
Property Street Name LINCOLN ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912116001
Bill Name TWEEDIE, DAVID J
Property Number 126
Property Street Direction W
Property Street Name 2ND ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912116002
Bill Name CLARKE TR, MICHAEL & C
Property Number 116
Property Street Direction W
Property Street Name 2ND ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912116003
Bill Name RONCHETTO, LYNN A
Property Number 127
Property Street Direction W
Property Street Name 3RD ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912116004
Bill Name SHANKLAND, CHARLES & S
Property Number 123
Property Street Direction W
Property Street Name 3RD ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912116005
Bill Name HARTMANN JR, FRED & SALLY
Property Number 119
Property Street Direction W
Property Street Name 3RD ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912116006
Bill Name CAREY, FRANCIS J & JEAN M
Property Number 204
Property Street Direction S
Property Street Name LINCOLN ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912116009
Bill Name SCALES, DANIEL & ROBERTA
Property Number 218
Property Street Direction S
Property Street Name LINCOLN ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912116010
Bill Name SAIGH, ROBERT & PATRICIA
Property Number 210
Property Street Direction S
Property Street Name LINCOLN ST
Property Apartment
Property City HINSDALE
Property Zip 60521

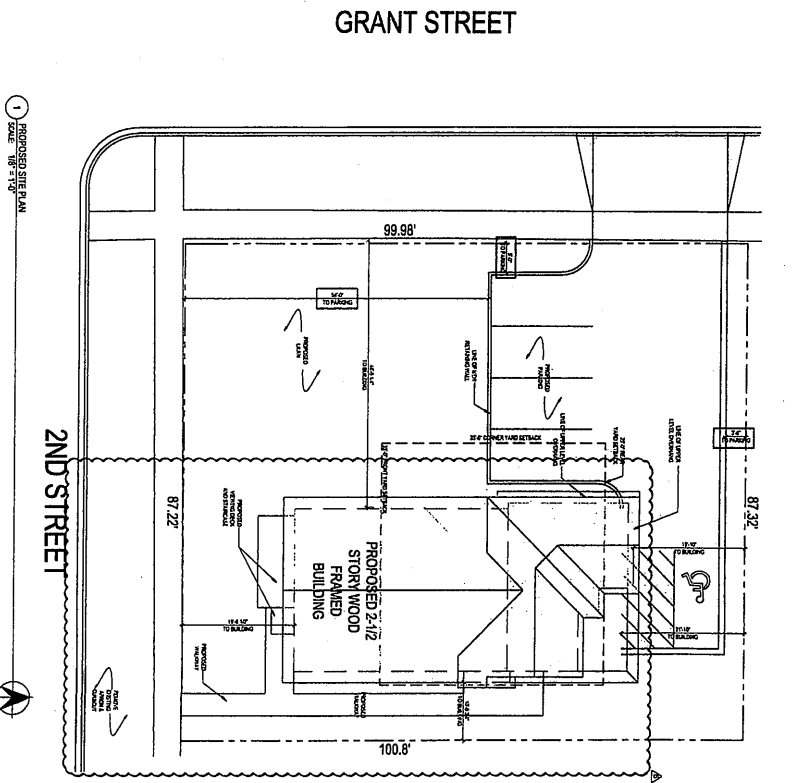
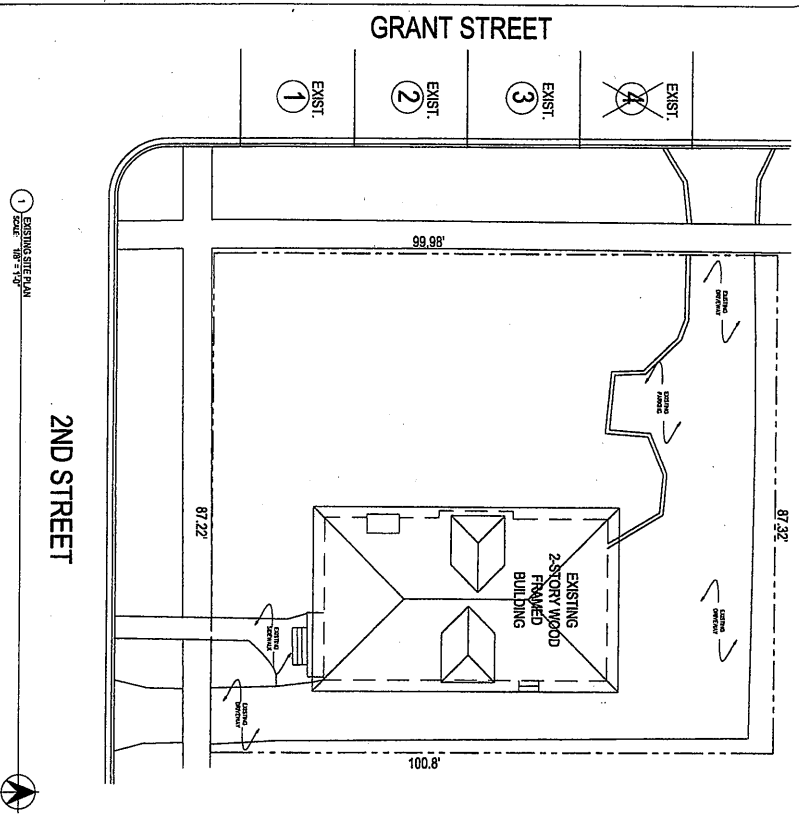
PIN 0912135006
Bill Name BANK OF AMERICA NA
Property Number 118
Property Street Direction W
Property Street Name 1ST ST
Property Apartment
Property City HINSDALE
Property Zip 60521

PIN 0912136001
Bill Name CZERWINSKI, MICHELLE
Property Number 107
Property Street Direction S
Property Street Name GRANT ST
Property Apartment 1
Property City HINSDALE
Property Zip 60521

PIN 0912136002
Bill Name WAYNE HMMER TR CO BEV2127
Property Number 107
Property Street Direction S
Property Street Name GRANT ST
Property Apartment 2
Property City HINSDALE
Property Zip 60521

PIN 0912136003
Bill Name CZERWINSKI, RICHARD & M
Property Number 107
Property Street Direction S
Property Street Name GRANT ST
Property Apartment 3
Property City HINSDALE
Property Zip 60521

PIN 0912136004
Bill Name BURKE, DONALD W
Property Number 107
Property Street Direction S
Property Street Name GRANT ST
Property Apartment 4
Property City HINSDALE
Property Zip 60521



ZONING INFORMATION	
EXISTING ZONING	RES-1 (Single-Family Residential)
PROPOSED ZONING	RES-1 (Single-Family Residential)
SETBACK REQUIREMENTS	Front: 10' (15' for 1st story) Side: 5' (10' for 1st story) Rear: 10' (15' for 1st story)
BULK REQUIREMENTS	Max. Lot Coverage: 30% Max. Building Height: 35' (40' for 1st story) Max. Floor Area: 10,000 sq. ft.

PROJECT DATA	
EXISTING SQUARE FOOTAGE	1,200 sq. ft.
PROPOSED SQUARE FOOTAGE	2,400 sq. ft.
COMBINED SQUARE FOOTAGE	3,600 sq. ft.

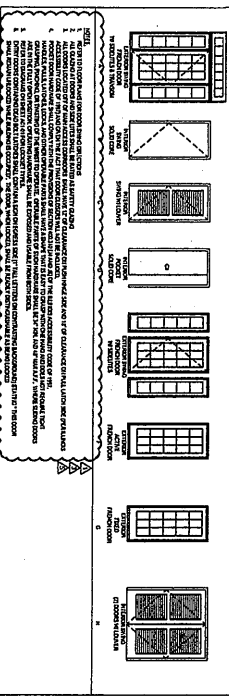
125 W 3RD ST.
HINSDALE, IL 60521

STEEL OFFICE
PROPOSED ADDITION & RENOVATION

PROJECT: 125 W 3RD ST.
HINSDALE, IL 60521

DATE: 10/1/2011
DRAWN BY: J. D. [illegible]
CHECKED BY: J. D. [illegible]
APPROVED BY: J. D. [illegible]

A00-01

[illegible]

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PARTITION TYPE 2
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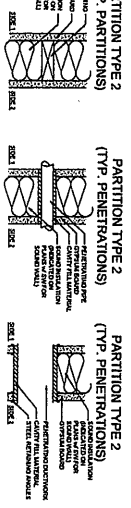
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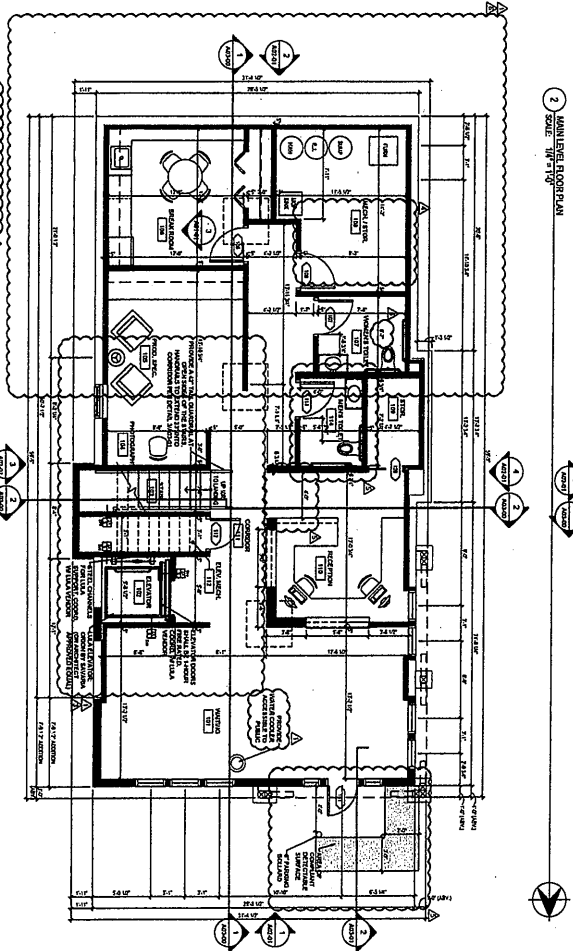
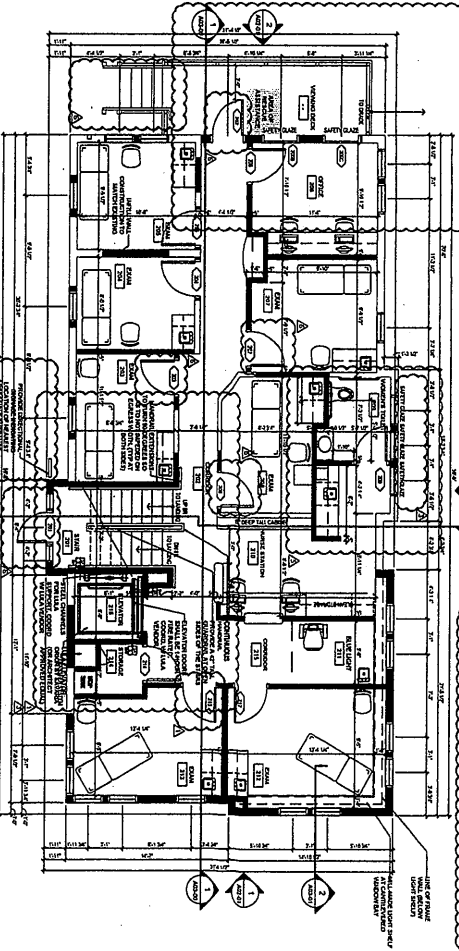
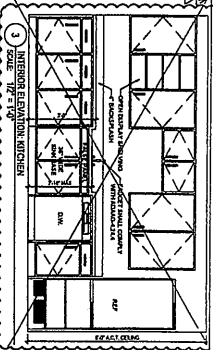
PARTITION TYPE 2
 (TYP. PENETRATIONS)

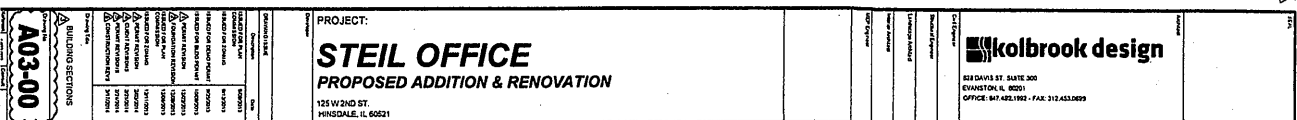
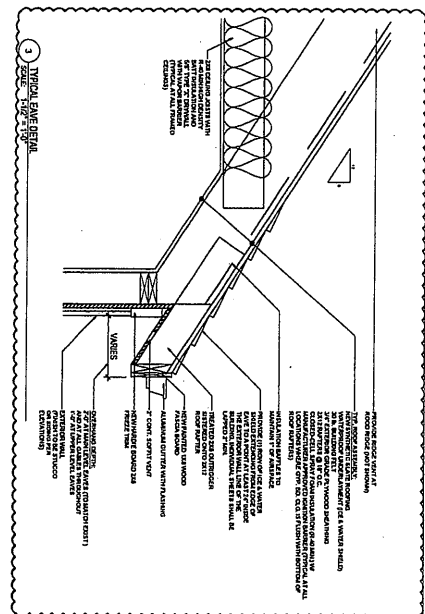
GENERAL PARTITION NOTES



1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.

DOOR HARDWARE - LOCK/LATCH TYPES





8a

MEMORANDUM

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

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

DATE: May 13, 2014

RE: Zoning Variation – V-02-14; 217 W. 55th Street

In this application for variation, the applicant requests relief from the interior side yard requirements set forth in section 3-110 (D)(2)(b)(i). The request is for 10.41' of relief to the required 17' interior side yard setback. The applicant intends to demolish the house on the 227 W. 55th Street and consolidate both lots in order to construct accessory improvements to the west of the existing house at 217 W. 55th. In order to do this, they need to obtain relief for the existing house, as the code (12-101-C) prohibits the creation of any new non-conformity that would result as part of a subdivision. Given that the newly created lot would have a required interior side yard of 17' based on the new lot width of 160'; the subdivision process cannot move forward until relief is granted for what would be a non-conforming sideyard.

This property is located in the R-2 single-family zoning district in the Village of Hinsdale and is located on the north side of 55th Street between Madison and Grant. Once consolidated, the property will become a conforming lot. It will have a frontage of approximately 160', a depth of approximately 297', and a total square footage of approximately 47,520. The maximum FAR is .20 +2,000 square feet or approximately 11,504 square feet. The maximum building coverage is 25% or approximately 11,880 square feet. The Total Lot Coverage is 50% or approximately 23,760 square feet.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-02-14

SUPPORTING INFORMATION FOR VARIATION REQUEST – REVISED 5-22-14

217 West 55th Street – Phillips Residence

10) Conformity - The requested variation is for reduction of the side yard setback for the existing home. When constructed the home met the requirements for the side yard setback. This variation is being requested to allow consolidation of two properties 227 West 55th Street and 217 West 55th Street. As shown on the Zoning map provided, the existing zoning is R-2 for each lot. As shown on the surveys included with this application the existing lot width for each lot is currently only 80 feet, substandard to the R-2 minimum lot width of 100 feet. By combining these two lots two substandard lots become one conforming lot. However, when the lots are combined the setback for the existing home is no longer in compliance, therefore resulting in this request for a variation.

11) Zoning Standards - Other than the requested variation for side yard setback on the existing home, all other Zoning Standards can be met. Any future auxiliary structures will meet the setbacks for the combined lot.

12) Successive Application – This is the first time that this request is being made for a variation.

SECTION II

- 1) Title – Evidence of Title for the Subject Property, 217 west 55th Street, for the existing residence has been attached. The adjoining property, 227 West 55th Street was recently purchased. The deed has additionally been attached.
- 2) Ordinance Provision. -The specific provision of the Zoning Ordinance from which a variation is sought is Section 3-110(D)(2)(b)(i).
- 3) Variation Sought. The variation sought is a reduction of the required side yard setback as part of a lot consolidation that will eliminate two non-conforming lots with one conforming lot.
- 4) Minimum Variation. - The minimum variation sought is a 10.41' reduction to the 17.0' required side yard setback to match the existing 6.59' setback of the existing wing wall.
- 5) Standards for Variation. – The Subject Property was originally constructed in compliance to the Village of Hinsdale Zoning Ordinance approximately 10 years ago. The property would remain in compliance if the two non-conforming lots are not consolidated. The existing

Christine Bruton

From: Tom Crnkovich <tcrnkovich@wolfpackdg.com>
Sent: Wednesday, June 11, 2014 1:57 PM
To: Christine Bruton
Cc: Philip Wolf
Subject: Updated Variation Summary
Attachments: SUPPORTING INFORMATION FOR VARIANCE REQUEST 4-10-14 REV 5-22-14.pdf

Chris,

Per our phone conversation, please find attached the updated Supporting Information document as requested and ahead of next week's Public Hearing.

Please let us know if you should require anything further.

Thank you,

--



Thomas G. Crnkovich, P.E.
Wolf Pack Development, Inc.
2510 Maple Ave
Downers Grove, IL 60515
(630) 479-0696
tcrnkovich@wolfpackdg.com

non-forming lots into a single lot in conformance with the underlying zoning. The requested variation is to allow encroachment of the existing home into the new side yard limits, which results from a wider frontage.

- e. Code and Plan Purposes. 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 use of the property will remain the same, single family residential. This use is in harmony with the comprehensive plan as the new lot would meet the size requirements for this zoning district.
- f. Essential Character of the Area.
 - (1) The variation would not result in a use or development of the Subject Property that 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. Allowing the existing home to remain the same distance from the property line that it was when the home was built has no bearing on Public welfare, or the enjoyment, use, development or value or property or improvements in the vicinity.
 - (2) The variation would not result in a use or development of the Subject Property that would materially impair adequate supply of light and air to properties and improvements in the vicinity. The condition remains the same as it has been since the home was first constructed and does not impede the light and air of adjacent properties.
 - (3) The variation would not result in a use or development of the Subject Property that would substantially increase congestion in the public streets due to traffic or parking. Reduction of the requirement for side yard setback has no effect on traffic or parking.
 - (4) The variation would not result in a use or development of the Subject Property that would unduly increase the danger of flood. The drainage characteristics remain the same as when the home was built in compliance with the approved grading plan.

home is still fairly new so demolition of the existing home to achieve the required setback once the lots are consolidated would not be an option in this case.

- a. Unique Physical Condition. 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 home that is fairly new. Rebuilding or relocating the existing home on the Subject Property amounts to more than a mere inconvenience to the owner and arises out of the existing conditions 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. The Phillips are not the original owners of the home at 217 W. 55th street. At the time when the home was built the side yard setback requirements were met. The act of consolidating 2 non-conforming lots into a single conforming lot increases the lot width and creates a larger setback requirement. All new construction after the consolidation will meet this new setback requirement. The existing home would remain as currently situated.
- c. Denied Substantial Rights. 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. Without granting the requested Variation the Phillips would not be able to consolidate the 2 lots into a single lot in conformance with the zoning district and construct a detached garage, a right enjoyed by all property owners with sufficient property.
- 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. Lot consolidation is not unique. Any resident of the Village has the same opportunity. The condition resulting from the proposed Lot consolidation would be combining two

(5) The variation would not result in a use or development of the Subject Property that would unduly tax public utilities and facilities in the area; No Public Utility or facility is impacted by the proximity of the existing home to the property line.

(6) The variation would not result in a use or development of the Subject Property that would endanger the public health and safety. The Variation does not materially affect the public welfare and has no effect on health or safety.

- g. No Other Remedy. There is no means other than the requested variation by which the alleged hardship can be avoided or remedied to a degree sufficient to permit a reasonable use of the Subject Property. In order to combine the two substandard lots into one lot in conformance and build an accessory building approval of this Variation is required.

8c

MEMORANDUM

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

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

DATE: June 11, 2014

RE: Zoning Variation – V-04-14; 312&320 N. Washington

In this application for variation, the applicant requests relief from the interior side yard requirements set forth in section 3-110 (D)(2)(b)(i). The request is for 9.07' of relief to the required 15' interior side yard setback. The applicant intends to demolish the house on the 320 N. Washington lot and consolidate both lots in order to construct an addition to the existing house on the 312 N. Washington lot. In order to do this, they need to obtain relief for the existing house, as the code (12-101-C) prohibits the creation of any new non-conformity that would result as part of a subdivision. Given that the newly created lot would have a required interior side yard of 15' based on the new lot width of 140'; the subdivision process cannot move forward until relief is granted for what would be a non-conforming sideyard.

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 Washington between Hickory and North. Once consolidated, the property will have a frontage of approximately 140', a depth of approximately 173.5', and a total square footage of approximately 24,291. The maximum FAR is .20 +2,000 square feet or approximately 6,858 square feet. The maximum building coverage is 25% or approximately 6,073 square feet. The Total Lot Coverage is 50% or approximately 12,145.5 square feet.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-04-14

**THE KRASNEWICH FAMILY
312 & 320 N. WASHINGTON STREET
HINSDALE, ILLINOIS 60521
630-323-0645**

July 2, 2014

SUBJECT: Request & Reason for Ruling to Be Read into Minutes at the July 16th Meeting

Dear Chairman Neiman and Members of the Village of Hinsdale Zoning Board ("ZBA"):

We are writing to you regarding our Variance Application (V-04-14) relating to relief on the side yard setback for our existing home at 312 N. Washington. The variance requirement is triggered by the planned consolidation of 312 & 320 N. Washington (collectively, the "Krasnewich Subdivision".) Our preliminary hearing with the ZBA was held on June 18th. The public hearing will be held on July 16th. Concurrent to this process, we have filed a Subdivision Application with the Environmental & Public Services Committee ("EPS").

We originally filed for permits regarding our proposed project at the Krasnewich Subdivision in early February 2014. The Village responded with comments to our former builder on March 4, which included notification of required ZBA & EPS approvals. Through no fault of the Village of Hinsdale and no fault of our own, our former builder never notified us of the contents of this letter and the related approval requirements. These requirements came as a complete surprise to our family at the end of May when we inquired about the status of permit issuance. Needless to say, we, as the homeowners of these properties, were devastated to learn of the significant amounts of time, energy and financial resources that were wasted as a result of this builder's complete lack of accountability and communication.

At this point, we are under significant pressure to get this project moving on an accelerated time table as a result of financial resources committed and seasonal implications. As a result of these uncontrollable time constraints, we are respectfully requesting that the ZBA issue their ruling on V-04-14 at the public hearing on July 16th and that such ruling be read into the minutes.

We, as residents of Hinsdale, are hopeful that months of additional delays and significant financial resources may be saved in this process. If we are unable to accelerate these processes, we may be forced to cancel our planned project in its entirety.

Enclosed please find letters of support from 304, 313, 319, and 324 N. Washington, as well as, 309 and 315 N. Lincoln. We believe these are the residences most directly impacted by our requested variance.

We are extremely grateful for your thoughtful consideration of our request. Should you have any questions or concerns, please do not hesitate to contact us.

Kind regards,



The Krasnewich Family

Katie, Tom, Charlie, Kathleen & Mary

June 2014

To the Village of Hinsdale:

Our neighbors, the Krasnewich Family, at 312 & 320 N. Washington Street have made us aware of their application for Variation with the Village of Hinsdale. We understand that the Krasnewich's have requested a 9.07-foot side yard setback variance on the south edge of the 312 property. They have informed us that this variance would allow the Krasnewich's the ability to leave the 312 N. Washington residence in its existing location as they seek to consolidate the 312 & 320 N. Washington lots. We do not have issues with the variance being sought by the Krasnewich Family.

Regards,

Nicole Sommers & Paul Jr

Neighbors located at:

304 N Washington St.

June 2014

To the Village of Hinsdale:

Our neighbors, the Krasnewich Family, at 312 & 320 N. Washington Street have made us aware of their application for Variation with the Village of Hinsdale. We understand that the Krasnewich's have requested a 9.07-foot side yard setback variance on the south edge of the 312 property. They have informed us that this variance would allow the Krasnewich's the ability to leave the 312 N. Washington residence in its existing location as they seek to consolidate the 312 & 320 N. Washington lots. We do not have issues with the variance being sought by the Krasnewich Family.

Regards,

Chris & Julie Boruff

Neighbors located at:

313 N Washington

June 2014

To the Village of Hinsdale:

Our neighbors, the Krasnewich Family, at 312 & 320 N. Washington Street have made us aware of their application for Variation with the Village of Hinsdale. We understand that the Krasnewich's have requested a 9.07-foot side yard setback variance on the south edge of the 312 property. They have informed us that this variance would allow the Krasnewich's the ability to leave the 312 N. Washington residence in its existing location as they seek to consolidate the 312 & 320 N. Washington lots. We do not have issues with the variance being sought by the Krasnewich Family.

Regards,



Edw. M. Barrow

Neighbors located at: 319 N Washington

June 2014

To the Village of Hinsdale:

Our neighbors, the Krasnewich Family, at 312 & 320 N. Washington Street have made us aware of their application for Variation with the Village of Hinsdale. We understand that the Krasnewich's have requested a 9.07-foot side yard setback variance on the south edge of the 312 property. They have informed us that this variance would allow the Krasnewich's the ability to leave the 312 N. Washington residence in its existing location as they seek to consolidate the 312 & 320 N. Washington lots. We do not have issues with the variance being sought by the Krasnewich Family.

Regards,

Kazuo & Akiko Oka

Neighbors located at: 324 N. Washington, Hinsdale

Akiko Oka

6/25/14

July 2014

To the Village of Hinsdale:

Our neighbors, the Krasnewich Family, at 312 & 320 N. Washington Street have made us aware of their application for Variation with the Village of Hinsdale. We understand that the Krasnewich's have requested a 9.07-foot side yard setback variance on the south edge of the 312 property. They have informed us that this variance would allow the Krasnewich's the ability to leave the 312 N. Washington residence in its existing location as they seek to consolidate the 312 & 320 N. Washington lots. We do not have issues with the variance being sought by the Krasnewich Family.

Regards,

Neighbors located at: 309 N. LINCOLN ST. HINSDALE, IL
J. Grichor 7-1-14

June 2014

To the Village of Hinsdale:

Our neighbors, the Krasnewich Family, at 312 & 320 N. Washington Street have made us aware of their application for Variation with the Village of Hinsdale. We understand that the Krasnewich's have requested a 9.07-foot side yard setback variance on the south edge of the 312 property. They have informed us that this variance would allow the Krasnewich's the ability to leave the 312 N. Washington residence in its existing location as they seek to consolidate the 312 & 320 N. Washington lots. We do not have issues with the variance being sought by the Krasnewich Family.

Regards,

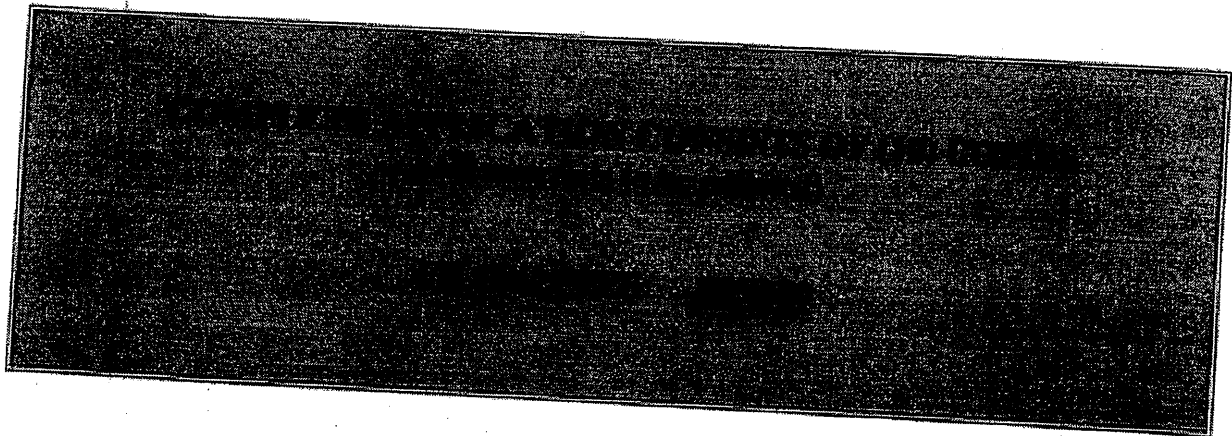
Catherine & J. Vasser

Neighbors located at

315 N. Lincoln St.
Hinsdale, Ill. 60521

Zoning Calendar No. V-04-14

VILLAGE OF HINSDALE
APPLICATION FOR VARIATION



NAME OF APPLICANT(S): THOMAS + KATHRYN KRASNEWICH

ADDRESS OF SUBJECT PROPERTY: 312 & 320 N. Washington
Hinsdale

TELEPHONE NUMBER(S): [REDACTED]

If Applicant is not property owner, Applicant's relationship to property owner.

DATE OF APPLICATION: 6-11-14



RECEIVED
CB 6/12/14

SECTION I

Please complete the following:

1. Owner. Name, address, and telephone number of owner: Kathryn M. Krasnewich & Thomas M. Krasnewich
312 N. Washington
Hinsdale, IL 60521
2. Trustee Disclosure. In the case of a land trust the name, address, and telephone number of all trustees and beneficiaries of the trust: Both homes:
Kathryn M. Krasnewich Revocable Trust
Trustees: Kathryn Krasnewich & Thomas Krasnewich
Beneficiaries: same as Trustees
Address: Phone: same as Owner
3. Applicant. Name, address, and telephone number of applicant, if different from owner, and applicant's interest in the subject property: n/a
4. Subject Property. Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) 312 N. Washington Hinsdale
320 N. Washington Hinsdale
(lots to be merged)
(Legal Descriptions attached as Exhibit A)
5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:
 - a. Attorney: Kevin Coyne 1111 S. Washington St. 630-4888
Nyberg, Cassippi LLC Naperville IL 60540
 - b. Engineer: Genesis Surveying 71 W. 61st St, Westmont IL 60553
 - c. Contractor: Tiburon 115 S. Carfield 630-887-7058
Hinsdale, IL 60521
 - d. Architect: Charles Vincent George - Patrick Fortelka
1245 E. Diehl Rd.
Suite 101
Naperville, IL 60563

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. _____

7. 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.

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 all certified mail receipts to the Village.

(See attached Exhibit B)

8. Survey. 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. Existing Zoning. 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.

(See attached Exhibit C)

10. Conformity. 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.

(See attached Exhibit D)

11. Zoning Standards. 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.

(See attached Exhibit E)

12. Successive Application. 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.

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:

1. Title. Evidence of title or other interest you have in the Subject Project, date of acquisition of such interest, and the specific nature of such interest.
(See attached Exhibit A)
2. Ordinance Provision. The specific provisions of the Zoning Ordinance from which a variation is sought:
Section 3-110(D)(2)(b)(ii)
3. Variation Sought. The precise variation being sought, the purpose therefor, and the specific feature or features of the proposed use, construction, or development that require a variation: (Attach separate sheet if additional space is needed.)
Petitioner requests a 9.07 foot variance for the interior sideyard to allow for improvements to the home located at 312 North Washington, Hinsdale and to allow for a consolidation of the lots located at 312 North Washington, Hinsdale and 320 North Washington, Hinsdale.
4. Minimum Variation. A statement of the minimum variation of the provisions of the Zoning Ordinance that would be necessary to permit the proposed use, construction, or development: (Attach separate sheet if additional space is needed.)
The minimum variance that would allow for the proposed use is a interior sideyard variance of 9.07 feet.
5. Standards for Variation. 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:
(See Exhibit E)

- (a) Unique Physical Condition. 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) Denied Substantial Rights. 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) Code and Plan Purposes. 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) Essential Character of the Area. 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
- (5) 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.)

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. Application Fee and Escrow. 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.
3. 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 application, 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:

KATHRYN KRASNEWICH

Signature of Owner:

Kathryn Krasnewich

Name of Applicant:

KATHRYN KRASNEWICH

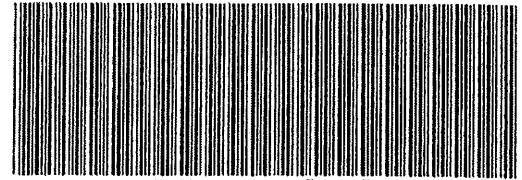
Signature of Applicant:

Kathryn Krasnewich

Date:

5/30/2014

**WARRANTY DEED
ILLINOIS STATUTORY**



FRED BUCHOLZ
DUPAGE COUNTY RECORDER
MAY 30, 2008 RHSP 2:17 PM
DEED 09-01-313-010
002 PAGES R2008-088518

THE GRANTOR(S), Lawrence J. Greenman a divorced person not since remarried, of the Village of Hinsdale, County of DuPage State of Illinois for and in consideration of TEN & 00/100 DOLLARS, and other good and valuable consideration in hand paid, CONVEY(S) to ~~Tom and Katie Krasnewich~~, Husband and Wife, 2671 N. Greenview Avenue, Unit E, Chicago, Illinois 60614 of the County of Cook, as tenants by the entirety, all interest in the following described Real Estate situated in the County of Lake in the State of Illinois, to wit:

Thomas M. Krasnewich and Kathryn M.

THE SOUTHEAST ¼ OF BLOCK 10 (EXCEPT THE SOUTH 124 FEET THEREOF) OF AYERS ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION IN THE NORTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 21, 1869 AS DOCUMENT 11674, IN DUPAGE COUNTY, ILLINOIS

SUBJECT TO:

General Real Estate Taxes for 2007 and subsequent years; covenants, condition and restrictions of record; building lines and easements, if any, so long as they do not interfere with the current use and enjoyment of the real estate and hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

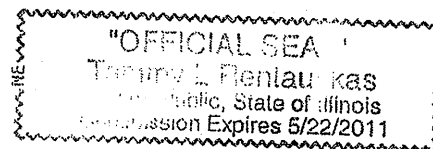
Permanent Real Estate Index Number(s): 09-01-313-010-0000

Address(es) of Real Estate: 312 North Washington Street, Hinsdale, Illinois 60521

Dated this 9TH day of MAY, 2008

Lawrence J. Greenman
Lawrence J. Greenman

STATE OF ILLINOIS, COUNTY OF Grundy SS.



PNIN
70 W MADISON ST STE 1300
CHICAGO IL 60602

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Lawrence J. Greenman, personally known to me to be the same person(s) whose name(s) are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 9th day of May, 2008.

[Signature] (Notary Public)

Prepared By: *ANDREW K. MILLER*
The Miller Law Group, LLC
15 Spinning Wheel Road, Suite 210
Hinsdale, Illinois 60521

Mail To:
Tom and Katie Krasnewich
312 North Washington Street
Hinsdale, Illinois 60521

Name & Address of Taxpayer:
Tom and Katie Krasnewich
312 North Washington Street
Hinsdale, Illinois 60521

EXHIBIT

A

LEGAL DESCRIPTION

Property Address: 312 North Washington Street, Hinsdale, Illinois 60521

THE SOUTHEAST ¼ OF BLOCK 10 (EXCEPT THE SOUTH 124 FEET THEREOF) OF AYERS ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION IN THE NORTH ½ OF THE SOUTHWEST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 21, 1869 AS DOCUMENT 11674, IN DUPAGE COUNTY, ILLINOIS

STATE OF ILLINOIS MAY 30 08 DUPAGE COUNTY	REAL ESTATE TRANSFER TAX
	0238500
	FP326689

*
\$2,385.00

WARRANTY DEED

Illinois Statutory

473172

Mail to:

Timothy P. McHugh

360 West Butterfield, Suite 300

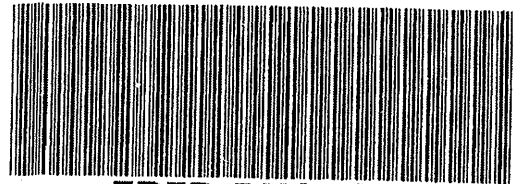
Elmhurst, Illinois 60126

Name & Address of Taxpayer:

Kathryn M. Krasnewich

312 N. Washington

Hinsdale IL 60521



FRED BUCHOLZ

DUPAGE COUNTY RECORDER

NOV.07.2013

RHSP 1:10 PM

DEED

09-01-313-009

002 PAGES

R2013-153146

RECORDER'S STAMP

The GRANTORS: **Daniel P. Dalton and Sheila B. Dalton, Husband and Wife**, of the Village of Hinsdale, County of DuPage, State of Illinois for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, CONVEY AND WARRANT to the **Kathryn M. Krasnewich Revocable Trust** dated *December 6, 2011* in the following described land in the County of DuPage, State of Illinois; to wit:

THE SOUTH 66 FEET OF THE NORTHEAST 1/4 OF BLOCK 10 OF AYERS ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION IN THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 21, 1869, AS DOCUMENT 11674, IN DUPAGE COUNTY, ILLINOIS

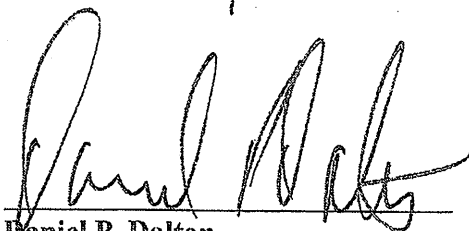
Subject to: general real estate taxes not due and payable at the time of Closing; covenants, conditions and restrictions on record; and building lines and easements, if any, provided they do not interfere with the current use and enjoyment of the Real Estate.

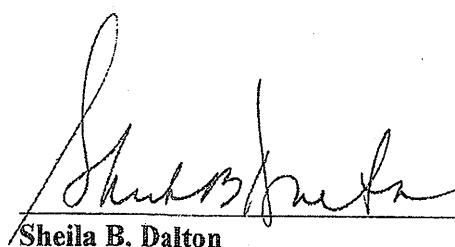
Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. TO HAVE AND TO HOLD said premises forever.

PIN: 09-01-313-009

Property Address: 320 N. Washington Street, Hinsdale, IL 60521

Dated: October *31*, 2013


Daniel P. Dalton


Sheila B. Dalton

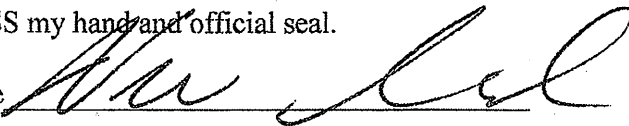
State of Illinois }
County of Cook } ss

I, the undersigned, a Notary Public in and for said County, in the State of Illinois, DO HEREBY CERTIFY THAT **Daniel P. Dalton and Sheila B. Dalton** personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal, October 31, 2013.

WITNESS my hand and official seal.

Signature



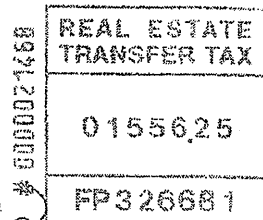
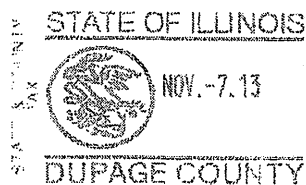
My Commission Expires

2/28/15

(Seal)

Prepared by:

Valerie Acosta
Beaulieu Law Offices, P.C.
5339 W. Belmont Avenue
Chicago, IL 60641



MAIL DOCUMENTS TO:
HERITAGE TITLE CO.
6849 W. LAWRENCE AVE.
CHICAGO, ILLINOIS 60630
File #

1556.25

Name and Address

Indicate type of mail:
☐ Registered ☐ Return Receipt For Merchandise
☐ Insured ☐ Inland Express
☐ COD ☐ Certified

Check appropriate block for Registered Mail:

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Name of Addressee, Street, and Post Office Address.

Line	Article Number
1	1000000000
2	1000000000
3	1000000000
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5	1000000000
6	1000000000
7	1000000000
8	1000000000
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99	1000000000
100	1000000000

324 N. Washington

330 N. Washington

404 N. Washington

414 N. Washington

420 N. Washington

304 Al. Washington

236 N. Washington

230 N. Washington

224 N. Washington

329 N. Washington

325 N. Washington

319 Al. Washington

313 N. Washington

305 N. Washington

235 N. Washington	ESTIMATE
Total Number of Pages	ESTIMATE

**Total Number of Places
Received at Post Office**

Total Number of Plans
Listed by Sender

POSTMASTER, PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. The maximum payable for the reconstruction of non-susceptible documents under Express Mail document reconstruction is £300,000 per piece subject to a limit of \$300,000 per occurrence. The maximum indemnity payable on Mail merchandise insurance is \$500. The maximum indemnity payable is £25,000 for registered mail, sea mail postal insurance. See Domestic Mail Manual 913 and 914 for limitations of coverage on insured mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges to third and fourth class parcels.

PS Form 3877, April 1991

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. Government Printing Office: 1967

EXHIBIT

B

3219027

UNITED STATES POSTAL SERVICE
 8304 WINSTON, IL 60521
 SEP 10 14 PM
 POSTAGE PAID

\$7.05

1234

replies to
Address
Post Office

Apply stamp here if issued as
certificate of mailing or for
registered copies of this bill.

POSTMARK AND DATE OF RECEIPT:

Due Sender	A. R.	S. D.	S. H.	Res. Del.	Remarks
------------	-------	-------	-------	-----------	---------

Check appropriate block for
Registered Mail:
☐ With Postal Insurance

Without Postal Insurance	Handling Charge	Actl. Value (11 Rgls.)	Insured Value

Indicate type of mail:
☐ Registered ☐ Return Receipt
☐ Insured ☐ For Merchandise
☐ COD ☐ Mail Recorded Del.
☐ Certified ☐ Express Mail

201	201	201
-----	-----	-----

Words of Addressed, Symbol, and Post Office Address

Line	Article Number
------	----------------

118 W. Martin

117 W. Hickory

118 W. Hickory

18 E. Hickory

26 E. Hickory

419 N. Lincoln

411 N. Lincoln

403 N. Lincoln

329 N. Lincoln

325 N. Lincoln

319 N. Lincoln

315 N. Lincoln

309 N. Lincoln

303 A. Lincoln

23 | A. Lincoln

**Total Number of Pieces
Received at Post Office**

Item	Quantity	Unit Price	Total
1. <u>Material</u>			
2. <u>Subcontract</u>			
3. <u>Other</u>			
Total			

FF/54

POSTMASTER, PER (Name of receiving employer)

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

FD-36 (Rev. 5-22-64) 3877, April 1961

—119— **International Patent Office**

WINDSORE IL
FEB
10
2014
USPS

U.S. POSTAGE
PAID
HINSDALE, IL
60521
FEB 10, 1974
AMOUNT

\$7.05



12

The full declaration of value is required on all domestic and international registered mail. This includes payment for the transportation of some valuable documents under Express Mail document insurance at \$30,000 per piece subject to a limit of \$500,000 per certificate. The maximum indemnity for registered mail is \$500. Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail, full postal insurance. See Domestic Mail Manual 913 and 914 for limitations on insurance on items sent by mail. See International Mail Manual for limitations of coverage on international mail. Special handling only to third and fourth class posts.

For Accountable Mail

Name and Address of Sender		Indicate type of mail: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Certified		<input type="checkbox"/> Return Receipt For Merchandise <input type="checkbox"/> Not Recorded Del. <input type="checkbox"/> Express Mail		Check appropriate block for Registered Mail: <input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance		POSTMARK AND DATE OF RECEIPT					
Line	Article Number	Name of Addressee, Street, and Post Office Address	Postage	Fees	Handling Charge	Insured Value	Due Sender if COD	R. A. S. D. Fee	S. H. Fee	Rest. Del. Fee	Remarks		
1		231 N. Washington											
2		225 N. Washington											
3		221 N. Washington											
4		403 N. Washington											
5		415 N. Washington											
6		421 N. Washington											
7		11 E. North											
8		17 E. North											
9		23 E. North											
10		18 E. North											
11		22 E. North											
12		117 W. North											
13		15 E. Hickory											
14		23 E. Hickory											
15		123 N. Hickory											
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	POSTMASTER PER (None of receiving employees)										

UNITED STATES POSTAL SERVICE

HINDS DALE FEB 10 2014

HINDSBOROUGH, IL

PAYMENT REQUIRED

\$7.05

00095097-04

1660

15

PS Form 3877, April 1991

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

119. Administrative Procedure Act

For Accountable Mail

Line	Article Number	Name and Address of Sender	Name of Addressee, Street, and Post Office Address	Indicate type of mail				Check appropriate block for Registered Mail:				Affix stamp here if issued on certificate of mailing or for additional copies of this bill.							
				Registered	Insured	COD	Certified	Return Receipt For Merchandise	Not Recorded Del.	Express Mail	Postage	Fee	Handling Charge	Act. Value (if Regis.)	Insured Value	Due Sender if COD	R.R. Fee	S.O. Fee	S.H. Fee
1		20 W. Hickory																	
2		36 E. Hickory																	
3		225 N. Lincoln																	
4		219 N. Lincoln																	
5		226 N. Lincoln																	
6		232 N. Lincoln																	
7		420 N. Lincoln																	
8		306 N. Lincoln																	
9		310 N. Lincoln																	
10		314 N. Lincoln																	
11		318 N. Lincoln																	
12		326 N. Lincoln																	
13		330 N. Lincoln																	
14		4104 N. Lincoln																	
15		416 N. Lincoln																	
Total Number of Pieces Listed by Sender		15		Total Number of Pieces Received at Post Office		FEB 10 2004		POSTMASTER, PER (Name of receiving employee)		FEB 10 2004		U.S. POSTAGE PAID HINSDALE, IL 60521 FEB 10 2004		\$7.05		00095097-04		1000	

PS Form 3877, April 1991

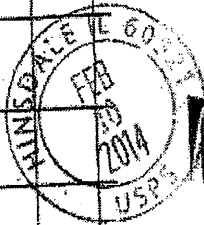
FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U.S. Government Printing Office

The full declaration of value is required on all domestic and international registered mail. The maximum payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable for Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for registered mail. Mail parcel insurance. See Domestic Mail Manual 913 and 914 for limitations of coverage on the mail. See International Mail Manual for limitations of coverage on international mail. Special handling only on third and fourth class parcels.

For Accountable Mail

Name and Address of Sender		Indicate type of mail		Check appropriate block for Registered Mail		POSTMARK AND DATE OF RECEIPT		Postage and Insurance		H. R. S. D. S. H. Fee		Post. Del.	
Line	Article Number	Name of Addressee, Street, and Post Office Address	Registered	Insured	COD	Certified	Express Mail	Postage	Fee	Handling Charge	Insured Value	Insured Value	Post. Del.
1		106 W. Hickory St.											
2		404 N. Garfield											
3		330 N. Garfield											
4		326 N. Garfield											
5		322 N. Garfield											
6		314 N. Garfield											
7		306 N. Garfield											
8		224 N. Garfield											
9													
10													
11													
12													
13													
14													
15													
Total Number of Pieces Listed by Sender		8		Total Number of Pieces Received at Post Office		300		POSTMASTER, PER (Name of receiving employee)					



U.S. POSTAGE
PAID
HINSDALE, IL
06321-14
FEB 10 2014
\$3.76
00095097-04

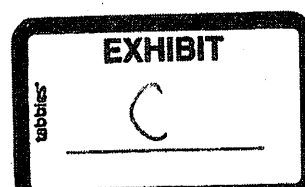
The full declaration of value is required on all domestic and international registered mail. The maximum payable for the reimbursement of insurable value for registered mail is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum insurable value for registered mail is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum insurable value for registered mail is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum insurable value for registered mail is \$50,000 per piece subject to a limit of \$500,000 per occurrence.

U.S. Government Printing Office

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

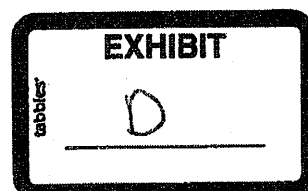
Zoning Statement

The subject properties, being located at 312 North Washington, Hinsdale, Illinois and 320 North Washington, Hinsdale, Illinois (the "Subject Properties") and all adjacent land within 250 feet of the Subject Properties are zoned R-4.



Conformity

The subject properties, being located at 312 North Washington, Hinsdale, Illinois and 320 North Washington, Hinsdale, Illinois (the "Subject Properties") and all properties in the immediate vicinity of the Subject Properties are all residential homes. The approval requested will not require a change in zoning designation nor will it deviate from the Village's Official Comprehensive Plan.



Standards for a Variance

**Re: 312 North Washington, Hinsdale and 320 North Washington, Hinsdale (the
"Secondary Structure") (collectively, the Subject Property)**

- (a) Unique Physical Condition. The Subject Property once consolidated cannot be improved absent the requested variance.
- (b) Not Self-Created. The Secondary Structure to be demolished was not built by the Petitioner.
- (c) Denied Substantial Rights. If the requested variance is not approved, the Petitioner would be denied their substantial right to improve their home.
- (d) Not Merely Special Privilege. The requested approval is not merely a special privilege, if not approved the Secondary Structure would likely remain and the entire neighborhood would lose this significant aesthetic upgrade.
- (e) Code and Plan Purposes. The Code allows for variances and this submission, if approved, would improve both the Subject Property and the neighborhood as a whole.
- (f) Essential Character of the Neighborhood:
 - 1. The proposed development that would result from this approval would not be injurious to the public welfare or materially injurious to the neighborhood. To the contrary, this development will result in a significant aesthetic upgrade to the neighborhood.
 - 2. This development would not reduce the amount of light and air to the neighborhood. To the contrary, once the Secondary Structure is removed there will be more light and air to the neighborhood (the proposed improvements to the Subject Property are smaller in size than is the Secondary Structure)
 - 3. The proposed development will not increase traffic nor have any material impact on parking in the neighborhood.
 - 4. The proposed development will not materially increase the danger of either flood or fire.
 - 5. The proposed development will not materially tax public utilities or facilities.
 - 6. The proposed development will not cause any public safety or public health concerns.
- (g) No Other Remedy. As stated, this variance is necessary to allow for the proposed development, to allow for the Petitioners' to improve their home, and to allow for this upgrade not only to the Petitioner's property but for the entire neighborhood.

