

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 Roddy 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.

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

4 **NAYS:** None

5 **ABSTAIN:** None

6 **ABSENT:** Members Neiman and Callahan

7
8 Motion carried.

9
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**

18
19 **9. NEW BUSINESS - None**

20
21 **10. UNFINISHED BUSINESS - None**

22
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

33
34 Motion carried.

35
36 Chairman Braselton declared the meeting adjourned at 6:39 p.m.

37
38
39
40 _____
41 Christine M. Bruton
42 Village Clerk

Approved: _____

**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
Wednesday, July 16, 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 6:34 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois. Chairman Neiman welcomed new member Kathryn Engel to the ZBA and thanked her for serving.

2. ROLL CALL

Present: Chairman Bob Neiman, Members Marc Connelly, Gary Moberly, Kathryn Engel, and Rody Biggert

Absent: Members Keith Giltner 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) June 18, 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 Biggert seconded the motion.

AYES: Members Connelly, Moberly, Biggert and Chairman Neiman

NAYS: None

ABSTAIN: Member Engel

ABSENT: Members Giltner and Callahan

Motion carried.

4. APPROVAL OF FINAL DECISION

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

Chairman Neiman introduced the item, there being no changes to the draft Final Decision, Member Moberly moved **approval of the Final Decision for V-02-14, 217 & 227 West 55th Street.** Member Biggert seconded the motion.

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

2 **NAYS:** None

3 **ABSTAIN:** Member Engel

4 **ABSENT:** Members Giltner and Callahan

5
6 Motion carried.

7
8 **5. RECEIPT OF APPEARANCES**

9 The oath was administered by the court reporter to those persons intending to
10 speak on those matters before the Board.

11
12 **6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO**
13 **MAKE PUBLIC COMMENT OF A GENERAL NATURE**

14 None.

15
16 **7. PRE-HEARING AND AGENDA SETTING**

17 None.

18
19 **8. PUBLIC HEARINGS**

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

21 Mr. Robert O'Donnell, attorney representing MJMS, LLC, explained the
22 variation sought. They are asking for relief from Section 3-110(D)1 for
23 12.32' feet of the required setback from 69.58' feet to 57.26' feet for the
24 construction of a single family home. Mr. O'Donnell explained that the lots
25 on this block have setbacks ranging from 41.75' feet to 110' feet. He made
26 note that this is not a typical grid street. He also noted that the original
27 home on the lot had a setback of 55.59' feet and the homes adjacent to this
28 property have setbacks of 55.08' feet and 57.44' feet. In his opinion, the
29 proposed setback is reasonable and would put this house in line with the
30 others. He stated he had provided letters of support surrounding neighbors
31 for the record. Additionally, the size of the home would be limited by 25%
32 in order to comply with the required setback.

33 Mr. O'Donnell asked that the final decision be read into the record tonight
34 so that they may proceed with permitting. Member Connelly **moved to**
35 **close the public hearing for V-03-14, 741 East Seventh Street.** Member
36 Moberly seconded the motion.

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

39 **NAYS:** None

40 **ABSTAIN:** None

41 **ABSENT:** Members Giltner and Callahan

42
43 Motion carried.
44
45

DELIBERATION

Member Moberly noted these are long deep lots, and the proposed setback is consistent with the adjacent lots. Furthermore, none of the neighbors are complaining. Member Biggert and Member Connelly agree. Chairman Neiman stated the standards for approval have been met in that this lot has a unique physical size by lot dimensions, the proposed is consistent with the neighborhood and the owner's substantial rights would be denied if this request were not approved.

Regarding the request to read the final into the record tonight, Chairman Neiman stated that a written final is customary and preferred and that he doesn't want the exception to become the norm. The Board had no problem with the request in this case. Member Moberly moved to **approve the variation request known as V-03-14, 741 East Seventh Street**. Member Engel seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Members Giltner and Callahan

Motion carried.

FINAL DECISION

Chairman Neiman stated: in Case V-03-14, 741 East Seventh Street, the applicant requests relief from the front yard setback requirements set forth in Section 3-110(D)1 for the construction of new single family home. The applicant is requesting a 12.32' reduction in the required front yard from 69.58' to 57.25'. 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 15,700. The maximum FAR is approximately 5, 208 square feet and the maximum allowable building coverage is 25% or approximately 4,111 square feet. The Board believes all standards for variation have been met and have voted to approve the variation as requested. Member Moberly **moved to approve the Final Decision as read into the record**. Member Biggert seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Members Giltner and Callahan

Motion carried.

1 **b) V-05-14, 125 West Second Street**

2 Mr. Steven Kolber, the architect representing Christina Steil, the property
3 owner, addressed the Board. He explained that during the process of
4 renovations to the property, it was discovered that some of the existing
5 framing was bowing out. In order to repair the problem, they eliminated the
6 old framing, whereupon the Building Department informed them that this is
7 now technically a demolition. As a result, they are required to get front
8 yard setback relief. He noted that the new building has the same footprint
9 as the old building and all previously granted variations remain the same.
10 Mr. Kolber explained that the Village has issued a stop work pending this
11 hearing; they would like the final decision to be read into the record this
12 evening so they may resume work on the project. Member Moberly **moved**
13 **to close the public hearing for V-05-14, 125 West Second Street.**
14 Member Biggert seconded the motion.

15
16 **AYES:** Members Connelly, Moberly, Engel, Biggert and Chairman Neiman

17 **NAYS:** None

18 **ABSTAIN:** None

19 **ABSENT:** Members Giltner and Callahan

20
21 Motion carried.

22
23 **D E L I B E R A T I O N**

24
25 Chairman Neiman said for him this is an easy one; there is now a unique physical
26 condition that couldn't have been anticipated on a pre-existing structure that has
27 been re-built on the original specs. This is not self-created, but an accident of
28 remodeling. To change our minds now, based on a technical demolition would
29 deny the owner their substantial right. He believes all standards for approval are
30 met. Member Biggert pointed out nothing has changed from the owner's original
31 request and Member Engel noted the structure will have the same footprint.
32 Member Moberly **moved to approve the variation request known as for V-05-**
33 **14, 125 West Second Street.** Member Connelly seconded the motion.

34
35 **AYES:** Members Connelly, Moberly, Engel, Biggert and Chairman Neiman

36 **NAYS:** None

37 **ABSTAIN:** None

38 **ABSENT:** Members Giltner and Callahan

39
40 Motion carried.

FINAL DECISION

The Board agrees to read the final decision into the record. Chairman Neiman stated: In Case V-05-14, 125 West Second Street, the applicant requests relief from the front yard setback requirements set forth in Section 3-110(D)1 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. The Board believes all standards for variation have been met and have voted to approve the variation as requested. Member Biggert **moved to approve the Final Decision as read into the record.** Member Connelly seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Members Giltner and Callahan

Motion carried.

c) V-04-14, 312 & 320 North Washington Street

Ms. Katie Krasnewich, homeowner, addressed the Board and introduced Mr. Patrick Fortelka, the architect on the project and Mr. Bruce Ritter, the builder from Tiburon Homes. Ms. Krasnewich explained that she and her husband Tom are requesting 9.07' of interior side yard setback relief for their current home at 312 N. Washington. The home, as it exists, is 5.93' feet from the side yard which met the code standards when the house was built. Granting this variation would allow the home to remain where it currently is; the need for a variation was triggered from the consolidation of the lots. They intend to demolish the home at 320 N. Washington and build an addition to the 312 home. The south side setback would remain 5.93' feet, but the north side will have a substantial setback. Mr. Fortelka pointed out that 30% of the entire lot width is required for setback. The hardship is they would be precluded from merging the lots, said Ms. Krasnewich. Her existing house was built in 1989 and none of the homes by that builder have large enough garages for an SUV. There wasn't allowable FAR to build a suitable garage. Originally, they were simply going to put a garage on the 320 lot, but zoning requirements got them to this place. In terms of impervious surface, they believe their proposal is beneficial to the drainage situation on the block. If a new home were built on the 320 lot, 4,000

1 square feet is buildable, their plans are only a net addition of about 1,500
2 square feet of impervious surface on the lot. This is a substantial decrease
3 in building coverage. She noted the letters of support from the neighbors
4 that have been submitted for the record.

5 Chairman Neiman asked about the standard of self-creation. They bought
6 the lot next door and designed the addition, which sounds like they created
7 the problem. Mr. Fortelka noted a project his firm did in 2007; they
8 consolidated two lots and made an addition in that case, but no variation
9 was required. They thought they could do the same this time, but the
10 zoning requirements have changed. Ms. Krasnewich believes this is not
11 self-created because the house was always there, irrespective of the
12 variance. She pointed out that she and her husband have spent significant
13 amounts of money to improve drainage; they installed a French drainage
14 system and a rock pit which has improved the water issue in the
15 neighborhood. Member Biggert commented that this is a case of
16 unintended consequence of the zoning code. Director of Community
17 Development Robb McGinnis explained that the applicant cannot tear down
18 the house and build only a garage on the property because the code does
19 not allow an accessory structure without a principal structure.

20 Ms. Krasnewich noted they are intending to upgrade the property which is
21 beneficial to her and the neighbors. There will not be a new home on the
22 lot, there will be drainage improvement. She believes her family will be
23 denied a substantial right because they won't be able to add to their home
24 or park their car in their garage. She explained her year long struggle,
25 beginning in November of 2013, with the permitting process and the lack of
26 communication from her previous builder. When Tiberon checked on
27 permits, they confirmed the variation and permitting issues were still
28 unresolved. She noted the amount of time and energy drained from her
29 family in this painful process. Member Moberly moved to **close the public**
30 **hearing on V-04-14, 312 & 320 North Washington Street.** Member Engel
31 seconded the motion.

32
33 **AYES:** Members Connelly, Moberly, Engel, Biggert and Chairman Neiman

34 **NAYS:** None

35 **ABSTAIN:** None

36 **ABSENT:** Members Giltner and Callahan

37
38 Motion carried.

39
40 **DELIBERATION**

41
42 Member Biggert began deliberations stating that he doesn't believe we should
43 discourage consolidation and that this is the only remedy in this circumstance.
44 Member Moberly agrees and added that the neighbors will be better off in terms
45 of the drainage issues. Member Connelly agreed and commented that each

1 decision of the Board is unique, and doesn't believe a precedent will be set.
2 Chairman Neiman is not convinced that certain criteria have been met;
3 specifically those regarding self-creation, denial of substantial rights and not
4 merely a special privilege. Member Moberly moved to **approve the variation**
5 **known as V-04-14, 312 & 320 North Washington Street.** Member Connelly
6 seconded the motion.

7
8 **AYES:** Members Connelly, Moberly

9 **ABSTAIN:** Member Engel

10 **ABSENT:** Members Giltner and Callahan

11
12 As the roll call vote was being taken, Member Engel abstained because she felt
13 she didn't know enough about the circumstances to place a vote. Before placing
14 his final vote, Chairman Neiman noted that he wants to be fair to the applicant,
15 and doesn't want his opinion to change the outcome to the applicant because of
16 his views alone and an abstention. Discussion followed regarding possible
17 options at this time.

18
19 Member Connelly moved to **reopen the Public Hearing for V-04-14, 312 & 320**
20 **North Washington Street.** Member Moberly seconded the motion.

21
22 **AYES:** Members Connelly, Moberly, Engel, Biggert and Chairman Neiman

23 **NAYS:** None

24 **ABSTAIN:** None

25 **ABSENT:** Members Giltner and Callahan

26
27 Motion carried.

28
29 Member Moberly explained the pre-hearing process and Member Connelly noted
30 that none of what was said at that time was on the record. In that respect,
31 Member Engel has had the benefit of the same information as other members.
32 The applicants came back to the podium and the various issues regarding this
33 matter were reviewed. Member Engel asked if the remaining portion of the 320
34 lot would be sellable. Mr. McGinnis clarified this would not be possible, because
35 once consolidated this would be a subdivision. Both lots would have to meet the
36 underlying bulk regulations and both structures would have to be demolished. Mr.
37 Fortelka illustrated what the lots would look like if a house was built on the 320 lot
38 as opposed to the proposed attached garage. It was also noted that the
39 Krasnewichs' have had a civil engineer work out the drainage problems.

40
41 Discussion followed regarding the difference between this case and the 55th
42 Street case heard by the ZBA last month. Chairman Neiman explained his point
43 of view with respect to substantial rights in that the purchase of the lot was to
44 accommodate a larger vehicle, not simply to have a garage and additionally he
45 has some concern that the lot will be twice as wide as any other else on the

1 block. He commented that other members of the Board have made good points of
2 similarity. He asked Member Engel if she was prepared to vote, to which she
3 replied she was. Member Moberly moved to **re-close the public hearing on V-**
4 **04-14, 312 & 320 North Washington Street.** Member Engel seconded the
5 motion.

6
7 **AYES:** Members Connelly, Moberly, Engel, Biggert and Chairman Neiman

8 **NAYS:** None

9 **ABSTAIN:** None

10 **ABSENT:** Members Giltner and Callahan

11
12 Motion carried.

13
14 Member Engel noted that she has a better understanding of the matter and knows
15 entirely too well about flooding in Hinsdale. She had concerns about the
16 remaining portion of the 320 lot, but since it can't be sold off she feels better.
17 She believes the hardship is that the owners would not have a usable garage.
18 She believes more grass in the neighborhood will be a good thing and thinks the
19 contribution with regard to flooding is substantial. Member Moberly moved to
20 **approve the variation known as V-04-14, 312 & 320 North Washington Street.**
21 Member Connelly seconded the motion.

22
23 **AYES:** Members Connelly, Moberly, Engel, Biggert

24 **NAYS:** Chairman Neiman

25 **ABSTAIN:** None

26 **ABSENT:** Members Giltner and Callahan

27
28 Motion carried.

29
30
31 **FINAL DECISION**

32
33 The Board agreed to read the final decision into the record. Chairman Neiman
34 stated: in Case V-04-14, 312 & 320 North Washington Street, the applicant
35 requests relief from the interior side yard requirements set forth in section 3-110
36 (D)(2)(b)(i). The request is for 9.07' of relief to the required 15' interior side yard
37 setback. The applicant intends to demolish the house on the 320 N. Washington lot and
38 consolidate both lots in order to construct an addition to the existing house on the 312
39 N. Washington lot. In order to do this, they need to obtain relief for the existing house,
40 as the code (12-101-C) prohibits the creation of any new non-conformity that would
41 result as part of a subdivision. Given that the newly created lot would have a required
42 interior side yard of 15' based on the new lot width of 140'; the subdivision process
43 cannot move forward until relief is granted for what would be a non-conforming
44 sideyard.

1 This property is located in the R-4 single-family zoning district in the Village of Hinsdale
2 and is located on the west side of Washington between Hickory and North. Once
3 consolidated, the property will have a frontage of approximately 140', a depth of
4 approximately 173.5', and a total square footage of approximately 24,291. The
5 maximum FAR is .20 +2,000 square feet or approximately 6,858 square feet. The
6 maximum building coverage is 25% or approximately 6,073 square feet. The Total Lot
7 Coverage is 50% or approximately 12,145.5 square feet. Member Biggert **moved to**
8 **approve the Final Decision as read into the record.** Member Connelly
9 seconded the motion.

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

12 **NAYS:** None

13 **ABSTAIN:** None

14 **ABSENT:** Members Giltner and Callahan

15
16 Motion carried.

17
18 **9. NEW BUSINESS**

19
20 **10. UNFINISHED BUSINESS**

21
22 **11. ADJOURNMENT**

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

26
27 **AYES:** Members Connelly, Moberly, Engel, Biggert and Chairman Neiman

28 **NAYS:** None

29 **ABSTAIN:** None

30 **ABSENT:** Members Giltner and Callahan

31
32 Motion carried.

33
34 Chairman Neiman declared the meeting adjourned at 7:37 p.m.

35
36
37
38
39 Christine M. Bruton
40 Village Clerk

Approved: _____

**VILLAGE OF HINSDALE
MEETING OF THE
ZONING BOARD OF APPEALS
AGENDA**

**Wednesday, August 20, 2014 @ 6:30 P.M.
Memorial Hall – Memorial Building
(Tentative & Subject to Change)**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
 - a) April 16, 2014
 - b) July 16, 2014
- 4. APPROVAL OF FINAL DECISION**
- 5. RECEIPT OF APPEARANCES**
- 6. RECEIPT OF REQUESTS, MOTIONS, PLEADINGS, OR REQUESTS TO
MAKE PUBLIC COMMENT OF A GENERAL NATURE**
- 7. PRE-HEARING AND AGENDA SETTING**
 - a) V-06-14, 949 and 955 Cleveland Road
- 8. PUBLIC HEARINGS**
- 9. NEW BUSINESS**
- 10. UNFINISHED BUSINESS**
- 11. ADJOURNMENT**

Hearing Procedure

1. Opening of hearing by Chairman
2. Incorporation in record of Notice of Hearing, together with certificates of publication
3. Statements of Chairman summarizing petition
4. Taking appearance of counsel
5. Opening statement, if any
6. Presentation of direct case of petition, cross examination of petitioner's witnesses to follow direct examination
7. Statements, if any, of persons in favor of petitioner's request
8. Presentation of objector's or other cases, cross examination of objector's witnesses to follow direct examination
9. Statement, if any, of persons against the petitioner's proposal
10. Adjournment

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility- of the meeting or the facilities are requested to contact Darrell Langlois, ADA Coordinator at 789-7014 or by TDD at **789-7022** promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons.

www.villageofhinsdale.org

MEMORANDUM

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

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

DATE: August 15, 2014

RE: Zoning Variation – V-06-14; 949&955 Cleveland

In this application for variation, the applicant requests relief from the setback requirement set forth in section 9-104.f.3.(d) for the construction of a new driveway that straddles the shared lot line in order to serve two single family homes. The code requires that new driveways maintain a 1' setback from the lot line.

This property is located in the R-1 Residential District in the Village of Hinsdale and is located on the north side of Cleveland Road and is just north of 55th Street. The 949 property has a frontage of approximately 99.5', a depth of approximately 244', and a total square footage of approximately 24,278. The maximum allowable FAR is approximately 6,855 square feet, the maximum allowable building coverage is 25% or approximately 6,069 square feet, and the total allowable lot coverage is 50% or 12,139 square feet. The 955 property has a frontage of approximately 99.5', a depth of approximately 243.5', and a total square footage of approximately 24,228. The maximum allowable FAR is approximately 6,845 square feet, the maximum allowable building coverage is 25% or approximately 6,057 square feet, and the total allowable lot coverage is 50% or 12,114 square feet.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-06-14

Zoning Calendar No. V-06-14

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): Gregory F. Steil and Christina G. Steil, M.D.

ADDRESS OF SUBJECT PROPERTY: 949 and 955 Cleveland Road

TELEPHONE NUMBER(S): (630) 296-2222 (Gregory Steil, Office)

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

DATE OF APPLICATION: July 25, 2014



SECTION I

Please complete the following:

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

949 Cleveland Road Owner of Record:

ATG Trust Company, as Trustee under a Trust Agreement dated March 1, 2006 and known as Trust No. 10241

c/o Gregory F. Steil and Christina G. Steil, M.D.
949 Cleveland Road, Hinsdale, Illinois 60521
(630) 296-2222 (Gregory Steil, Office)

955 Cleveland Road Owner of Record:

Christina G. Steil, Trustee of the Gregory F. Steil Descendants Trust under Trust Agreement dated November 1, 2005

c/o Gregory F. Steil and Christina G. Steil, M.D.
949 Cleveland Road, Hinsdale, Illinois 60521
(630) 296-2222 (Gregory Steil, Office)

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

949 Cleveland Road is held in an Illinois land trust. The trustee is ATG Trust Company and the beneficiaries are:

Gregory F. Steil and Christina G. Steil, M.D.
949 Cleveland Road, Hinsdale, Illinois 60521
(630) 296-2222 (Gregory Steil, Office)

Legal title to 955 Cleveland Road is held in a trust, but not an Illinois land trust. All beneficiaries of the 955 Cleveland Road trust are direct descendants of Gregory F. Steil and Christina G. Steil. Thus the beneficiaries of both trusts are "the Steils and their descendants" (the Steils).

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

Gregory F. Steil and Christina G. Steil, M.D. of 949 Cleveland Road, Hinsdale, Illinois 60521. Gregory Steil may be reached at (630) 296-2222. Gregory Steil, Christina Steil, and their descendants are the beneficial owners under the trust agreements listed above.

4. Subject Property. Address and legal description of the subject property: (Use separate sheet for legal description if necessary.)

949 Cleveland Road, Hinsdale, Illinois 60521
Permanent Index Number: 18-07-310-009-0000

Legal description:

Lot 9 in Block 10, the Woodlands, Hinsdale, Illinois, being a Subdivision of the Southwest Quarter 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 Quarter), in Cook County, Illinois.

And

955 Cleveland Road, Hinsdale, Illinois 60521
Permanent Index Number: 18-07-310-010-0000

Legal description:

Lot 10 in Block 10 in the Woodlands Hinsdale, being a Subdivision of the Southwest Quarter of the Section 7, Township 38 North, Range 12 East of the Third Principal Meridian (except the West 1,312.4 feet of the 718.2 feet of said Southeast Quarter) in Cook County, Illinois.

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

- a. Attorney: Day & Robert, P.C., 300 East 5th Avenue, Suite 365, Naperville, Illinois 60563 (Scott M. Day and Christina M. Morrison)

- b. Architect: Liederbach & Graham Architects, 500 North Wells Street, Chicago, Illinois 60654 (R. Michael Graham and James Larew)
 - c. Builder: Workman Builders, Inc., 11735 Briarwood Court, Burr Ridge, Illinois 60527 (Craig J. Workman)
 - d. Landscape Architect: Bergfeld Studio, 911 Edward Street, Henry Illinois 61537 (Jeffrey Bergfeld)
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:**

No Village officials or employees have an interest in the property.

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.

Please see attached list, neighbor map and Certification of Proper Notice as **Exhibit A.**

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.**

Please see attached surveys as **Exhibit B.**

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 Steils purchased 949 Cleveland Road (949 lot) in 2006 which was improved with a code-compliant R-1 single-family home. Five years later the home on the adjacent lot to the south, 955 Cleveland Road (955 lot), became available. The Steils purchased it also, planning to demolish the home and construct a second residence to be used in conjunction with their existing home on the 949 lot.

The new home is currently under construction on the 955 lot, and is comprised of a residence, a four-car garage, and recreational fitness rooms. Because the 955 lot is code-compliant, and because the new construction incorporates a residence, the entire new structure is code-compliant as a separate, stand-alone R-1 single-family residence, meeting all setback minimums and the FAR restriction established by the Village. However, the Steils intend to occupy and use both lots collectively as their family home. Each home would ordinarily require its own independent driveway to strictly adhere to the R-1 zoning requirements if not owned by the same family. The Steils proposes a single driveway to service both homes, and this single drive would provide access to Cleveland Road from both the 955 and the 949 lot homes.

All contiguous properties to the subject property are also zoned in the R-1 Zoning District. Some properties in proximity to the subject property (south of 55th Street) are zoned in the R-2 Zoning District or are unincorporated. A Zoning Map and Location Map are attached as Group Exhibit H.

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.

The existing zoning of the property is R-1 and there are no requested changes

to the zoning district map or the R-1 Zoning District text. The existing R-1 zoning conforms to the Comprehensive Plan (none exists) and the Official Map, as would the land use even if relief requested is granted.

- 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.**

Please see responses to zoning standards 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.**

The property owners have not previously sought the relief requested herein.

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.**

Gregory F. Steil, Christina G. Steil, M.D. and their descendants (the Steils) are beneficial owners of the two subject properties. The Steils purchased 949 Cleveland Road in 2006 which was improved with a code-compliant R-1 single-family home. The Steils then purchased 955 Cleveland Road in 2011 and are currently constructing a four-car garage, a recreational fitness room and self-contained living quarters (classified as a separate, code-compliant single-family home per the Hinsdale Zoning Code). This second residential structure is anticipated to be completed in 2014.

The recorded deeds by which title was conveyed are attached hereto as **Group Exhibit C**.

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

The Steils seek relief from the requirements of Section 9-104.f.3.(d) which states as follows: "location of drives: on a parcel of property used for residential purposes, a driveway shall not be located closer than 1 ft. from the property line."

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.)**

The Steils seek a variation from Section 9-104.f.3.(d) to allow for a unified single driveway servicing both 949 Cleveland Road and 955 Cleveland Road. This variation could be accomplished in one of two ways, and the Steils seek a variation for either, albeit with a strong preference for one over the other.

The property located at 949 Cleveland is the older home, and already has an existing driveway with a turnaround forming two curb cuts onto Cleveland Road. (See **Exhibit D** "Existing Conditions"). By simply extending a portion of this existing driveway southeasterly into the 955 lot, the existing horseshoe drive on the 949 lot can provide driveway access to both 955 and 949. This is the preferred methodology to unify access to the two parcels.

Because the unified driveway in Option #1 crosses the property line between 955 and 949, strict adherence to the Village Code requires that the portion of the drive on 955 be set back from the joint property line by one foot and the portion of the drive located on 949 also must be set back from the property line by one foot. Thus strict adherence to the Village Code would create a two foot wide strip of grass over which cars entering the 949 lot would need to travel in order to access the 955 lot (see **Exhibit E1** showing the preferred driveway configuration and the compliant setback areas in green). Applicant is seeking a variation for Option #1 so as to eliminate the one foot setback on both sides of the common property line (see **Exhibit E2** Option #1 - showing the preferred driveway with the preferred variation).

In the alternative, the Steils' goals could also be achieved by removing a portion of the existing horseshoe drive in front of 949, and constructing a code-compliant drive for 949 setback one foot from the common property line and a code-compliant drive for 955 also set back one foot from the common property line (see **Exhibit F1** the alternative driveway option and the compliant setback areas in green). While this configuration would provide a separate drive for each parcel, there would be a 2 foot strip of grass (considerably longer than in Option #1) which the Applicant requests to vary on both parcels so as to "unite" the two side-by-side drives into the appearance of a single drive (see **Exhibit F2** Option #2 - showing the alternative driveway with the proposed variation).

Either Option #1 or Option #2 would be acceptable to Applicant, but for some very practical reasons Option #1 is preferred. First, Option #1 incorporates less paved surface for the entire driveway proposed. The impermeable surface of Option #1 is 818 square feet less than the impermeable surface of Option #2.

Second, Option #1 requires the elimination of only 39 linear feet of setback between 949 and 955, whereas Option #2 requires the variance to eliminate over 131 linear feet of required setback. Thus, Option#1 presents the lesser of the two variations from Code. (see Section 11-503-2(b))

Third, Option #2 proposes the construction of a unified drive centered on the lot line between the two lots. Construction of a curb cut for the drive at this location along Cleveland Road would require the removal of a decades old Elm tree centered on the property line in the parkway, and the re-seating of a sanitary sewer manhole so as to match the grade of the driveway pavers. Removal of the tree presents an entirely separate administrative process under the Village Code. Collectively, these issues make Option #1 more desirable to Applicant.

Additionally, in June 2014 the Village contractors re-built Cleveland Road, and installed a sewer grate near the property line between 949 and 955 (see **Exhibit G**). Option #2 would dictate either this storm sewer invert be relocated at great expense and inconvenience or be left in place as an unsightly and undesirably located catch basin for storm water. Either of these alternatives presents further practical difficulties that could be avoided by configuring the driveway as set forth in Option #1.

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 Steils reviewed other means by which they could achieve a single drive serving the two adjacent homes. First, they investigated consolidation of the two lots into a re-subdivided single R-1 zoning district lot. Doing so would clearly permit a single drive to serve the newly consolidated lot. However, unification of the two lots into a single lot would double the property's frontage on Cleveland Road. Because the side yard setbacks required by the Village's R-1 zoning district increase with the frontage of the lot, consolidation of the two lots into a single lot would render the previously code-compliant setbacks for both the old house and the new house non-conforming. Additionally, upon consolidation, the newly constructed second home, which is smaller than the home located on 949 Cleveland Road, would become an "accessory structure" to the larger home. As an "accessory

structure” the newly constructed home at 955 Cleveland Road would exceed the FAR limitations within the R-1 district. Lastly, the Steils would need to remove or receive a variation for the one bedroom residence from the “accessory structure”.

The “accessory structure” could be rendered code-compliant as a single home on a unified lot by digging a tunnel connecting and “unifying” the two structures, but doing so would represent an undesirable and costly solution to permit a single drive rather than two separate driveways. Even as a unified single home, the side yard setbacks would still be rendered non-conforming by consolidation. Simply put, these approaches were recognized as requiring much more significant relief than the variances requested.

Next, the Steils considered a text amendment to the R-1 zoning district. The R-1 zoning requirements could be amended to permit an owner of two code-compliant, adjacent single-family homes located on adjacent code-compliant lots of record, to construct a unified single driveway with access to both homes. However, requesting a text amendment to address a factual situation that has not historically arisen was thought to be seeking broader relief than the narrow and limited variance requested.

Thus, the Steils concluded that the narrowest relief which would permit a single drive to serve their two lots is to request a variance to eliminate the 1 foot setback between the drive on 949 from the drive on 955. Either Option #1 or Option #2 is acceptable to the Steils. Both Option #1 and Option #2 would require exactly the same variation, however Option #1 seems to be the minimum variation as required by the Village Code.

The one foot driveway setback, as required by the Village Code, is designed so as to protect the adjacent owner from an unwanted intrusion into the adjacent owner’s yard. The fact that this drive setback is set at such a minimal width of a foot is testament to the fact that the conflict of having a drive close to the property line is not a significant conflict. When the owner of the adjacent lot being protected by the one foot setback and the owner of the drive is the same party, and effectively both owners are asking the Village to remove a drive setback intended to protect themselves from themselves, the uniqueness of this request becomes apparent.

It is not the intention of the Village Code to compel the construction of two drives where one will suffice or two curb cuts where one will suffice. Nor is it

beneficial or serving the public good to require additional impervious surface where less is requested. By granting this variation, a single unified drive can be constructed either crossing (Option #1) or straddling (Option #2) the property line (see **Exhibits E2 and F2**). It is believed that this relief is the minimum relief available to avoid the practical difficulty of a code that prohibits a single driveway to service two separate R-1 lots of record.

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.

The Steils purchased an existing home at 949 Cleveland Road in 2006. The existing home had been constructed with code-compliant setbacks for the R-1 zoning lot. Five years later, the Steils purchased the adjoining lot at 955 Cleveland Road, demolished the existing single-family home and are currently building a code-compliant structure comprised of a four-car garage, a recreational fitness room and living quarters. This new structure currently under construction was also designed with R-1 setbacks compliant for the zoning lot. As the structure contains living quarters, it is fully code-compliant as a single-family residential R-1 structure per the Village Code.

The Village Code would permit the Steils to construct a separate code-compliant drive for each parcel where only one drive is desirable and only one drive is requested by the owners of the two lots. Under the facts of this application, less impermeable surface, fewer curb cuts, and more green space actually requires a variation from the Village Code.

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.

Based upon inquiry of the Village professional staff, it is believed that the situation presented by this application is of first impression for the Village.

- (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 subject properties are each improved with a code-compliant R-1 single-family home and code-compliant drives can be created on each, but the construction of multiple drives with multiple curb cuts does not protect or further any public good. Compliance is actually detrimental to some public interests in that compliance mandates unwanted curb cuts and unnecessary impermeable surface.

- (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.**

The majority of, if not all, single-family homes in the Village of Hinsdale have a single driveway connecting their garage to the public right-of-way. The Village Code fails to anticipate adjacent ownership of code-compliant homes by the same party. Both homes would normally be served by a separate drive. The Village Code permits two parallel driveways situated two feet apart at the shared property line because the Village Code protects one property owner from encroaching on the side yard of his neighbor. The Steils desire the convenience and aesthetics of a single narrower driveway, as enjoyed by the majority, if not all, of the residents in Hinsdale. The Village Code was just not drawn with the anticipation that the same family would own two adjacent, code-compliant homes.

- (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.

Based upon inquiry of the Village professional staff, it is believed that the situation presented is of first impression for the Village. Because a condition may lawfully be attached to the variation if granted, this variation can be required to expire if the ownership of either parcel changes in the future. Applicant expressly offers to attach such a condition in favor of the Village and enforceable by the Village with respect to Option #1. If this condition is attached to approval of the variation for Option #1, severance of the ownership at a future date would render 955 non-compliant as having a drive without any curb cut, and thus deprive 955 of an occupancy permit until a separate code-compliant drive with curb cut is constructed for 955.

- (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.**

Approval of this variation request will not vary the use of the subject property nor will it result in development or use of either property that will not be in harmony with the R-1 zoning district requirements and the neighboring properties. Regardless of the number of drives serving the two parcels, they will continue to be used by the Steil family as a single ownership and a single use.

- (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**

The vast majority, if not all, the homes in Hinsdale have a single driveway servicing either a single-family home or a structure accessory to a single-family home. Approval of this variation request would permit

the Steils to construct a driveway which is visually in keeping with the other single-family home properties in Hinsdale (see Zoning Map and Location Maps as **Group Exhibit H**).

- (2) **Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or**

This variation request is for a driveway only, so neither light nor air to neighboring properties will be affected if the variation is granted.

- (3) **Would substantially increase congestion in the public streets due to traffic or parking; or**

Approval of this variation will not increase the density of the structures on either property nor will it increase the intensity of use on either property. In fact, consolidation of two code-compliant driveways into a single, narrower driveway will benefit the Village and neighboring property owners by reducing the points of ingress and egress along Cleveland Road and reducing impermeable surface.

- (4) **Would unduly increase the danger of flood or fire; or**

The vast majority, if not all, the homes in Hinsdale have a single driveway servicing either a single-family home or a structure accessory to a single-family home. Approval of this variation request would permit the Steils to construct a driveway visually in keeping with the other single-family home properties in Hinsdale.

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

Granting of the variation would eliminate one curb cut from a public street.

- (6) **Would endanger the public health or safety.**

Granting of the variation would eliminate one curb cut from a public street.

- (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.

As an alternative to the proposed setback variation, the Steils considered consolidation of their two zoning lots and construction of a code-compliant driveway servicing both buildings. However, such consolidation would require that the Steils apply for variations for side yard setbacks, for having more than one residence on a single zoning lot, and exceeding FAR regulations for accessory structures, among others.

Leaving the two main structures on their own independent zoning lots and requesting one driveway setback variation per lot is the simplest and most efficient method of accomplishing the Steils' goal of a single, unified driveway. Once the structure at 955 Cleveland Road is completed, the Steils plan to park their vehicles exclusively in its four-car garage. The existing garages at 949 Cleveland Road will be converted into a family room and a pool house.

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.**

These plans, drawings and information shall be submitted as requested by Hinsdale Village staff.

- 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.**

These plans, drawings and information shall be submitted as requested by Hinsdale Village staff.

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 correct to the best of his/her knowledge.

Name of Owner: 949 Cleveland Road:

ATG Trust Company, as Trustee under a Trust Agreement
dated March 1, 2006 and known as Trust No. 10241

Signature of Owner:

Angela McChen 7-24-14
Land Trust Officer

955 Cleveland Road:

Christina G. Steil, Trustee of the Gregory F. Steil
Descendants Trust under Trust Agreement dated November
1, 2005

Signature of Owner: _____

Name of Applicant: Gregory F. Steil and Christina G. Steil, M.D.

Signature of Applicant: _____

Date: _____

Exoneration provision restricting
any liability of ATG Trust Company
either attached on the reverse side
hereof or attached hereto,
is incorporated herein.

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against ATG Trust Company or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee, whether or not in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

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: 949 Cleveland Road:

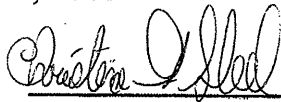
ATG Trust Company, as Trustee under a Trust Agreement
dated March 1, 2006 and known as Trust No. 10241

Signature of Owner: _____

955 Cleveland Road:

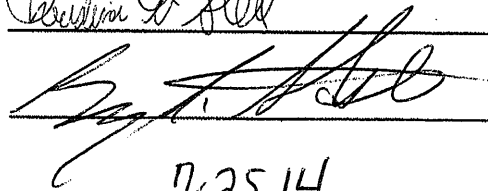
Christina G. Steil, Trustee of the Gregory F. Steil
Descendants Trust under Trust Agreement dated November
1, 2005

Signature of Owner: _____



Name of Applicant: Gregory F. Steil and Christina G. Steil, M.D.

Signature of Applicant: _____



Date: _____

7.25.14

STEIL
HINSDALE VARIATION APPLICATION
EXHIBIT LIST

- Exhibit A - Neighboring Owner List and Map
- Exhibit B - Surveys by Haeger Engineering dated February 14, 2013 and April 4, 2014
- Exhibit C - Deed to 949 Cleveland Road recorded as Document #0606833031 in Cook County on March 9, 2006. Deed to 955 Cleveland Road recorded as Document #1118749060 in Cook County on July 6, 2011
- Exhibit D - Survey with existing driveway for 949 Cleveland Road highlighted in yellow
- Exhibit E1 - Driveway Option #1 with compliant setback area highlighted
- Exhibit E2 - Preferred Variation Option No. 1 by Bergfeld Studio dated April 22, 2014
- Exhibit F1 - Driveway Option #2 with compliant setback area highlighted
- Exhibit F2 - Less Preferred Variation Option No. 2 by Liederbach and Graham dated June 3, 2014
- Exhibit G - Photograph of existing storm sewer grate near the property line between 949 and 955 Cleveland Road
- Exhibit H - Zoning Map and Location Map

18-07-309-029-0000
THOMAS R HANSON
924 CLEVELAND RD
HINSDALE, IL 60521

18-07-309-042-0000
STEVEN OLSON
554 PAMELA CIRCLE
HINSDALE, IL 60521

18-07-309-044-0000
DIANNE M FREEMAN
948 CLEVELAND RD
HINSDALE, IL 60521

18-07-309-049-0000
TOM RICHARDSON
934 CLEVELAND
HINSDALE, IL 60521

18-07-310-006-0000
DSD
927 CLEVELAND RD
HINSDALE, IL 60521

18-07-310-007-0000
DONALD LINDA DAVIS
933 CLEVELAND RD
HINSDALE, IL 60521

18-07-310-008-0000
LINDA JEFF SLUMAN
939 CLEVELAND RD
HINSDALE, IL 60521

18-07-310-009-0000
GREG CHRISTINA STEIL
949 CLEVELAND RD
HINSDALE, IL 60521

18-07-310-010-0000
CHRISTINA STEIL TRUSTE
949 CLEVELAND RD
HINSDALE, IL 60521

18-07-310-011-0000
WALLACE E WING III
963 CLEVELAND RD
HINSDALE, IL 60521

18-07-310-012-0000
AEI ILLINOIS LLC
11100 SANTA MONICA BVD
LOS ANGELES, CA 90025

18-07-310-018-0000
MARK S WICKS
626 WOODLAND AV
HINSDALE, IL 60521

18-07-310-019-0000
SONJA SANJAY GILL
936 TAFT RD
HINSDALE, IL 60521

18-07-310-020-0000
ROBERT SALLY SMITH
940 TAFT RD
HINSDALE, IL 60521

18-07-310-021-0000
LOUIS S PANOS
950 TAFT ROAD
HINSDALE, IL 60521

18-07-310-022-0000
JOHN T WILLIAMS
956 TAFT RD
HINSDALE, IL 60521

18-07-310-023-0000
KURT F DRESCHER
970 TAFT
HINSDALE, IL 60521

18-07-310-024-0000
SC TM PALMITIER
980 TAFT ROAD
HINSDALE, IL 60521

18-07-311-007-0000
STEVEN E MATHER
955 TAFT RD
HINSDALE, IL 60521

18-07-311-008-0000
FARIBORZ MAISSAMI
967 TAFT RD
HINSDALE, IL 60521

18-07-311-009-0000
HAROLD L MARTIN
975 TAFT RD
HINSDALE, IL 60521

18-07-311-010-0000
GREGORY M DOLD
981 TAFT RD
HINSDALE, IL 60521

18-07-311-022-0000
L F HECTOR
708 WOODLAND AVE
HINSDALE, IL 60521

18-07-311-024-0000
REGINALD C. REED
989 TAFT RD.
HINSDALE, IL 60521

18-18-100-013-0000
E JIN Z DONG
1000 LAURIE LANE
BURR RIDGE, IL 60527

18-18-100-014-0000
LOUIS BALDO
1008 LAURIE LANE
BURR RIDGE, IL 60527

18-18-100-015-0000
SCOTT CANDICE ALLEN
1016 LAURIE LANE
BUR RIDGE, IL 60527

18-18-104-026-0000
M SEHGAL R GOSWAMI
1009 LAURIE LANE
BURR RIDGE, IL 60527

18-18-104-027-0000
MR JOHN W PINDIAK
1001 LAURIE LANE
BURR RIDGE, IL 60527

18-18-104-028-0000
JOSEPHINE R GOETZ
1000 WOODVIEW RD
BURR RIDGE, IL 60527

STAPLES

18-18-109-025-0000
HINSDALE MEADOWS
2550 WAUKEGAN ROAD #22
GLENVIEW, IL 60025

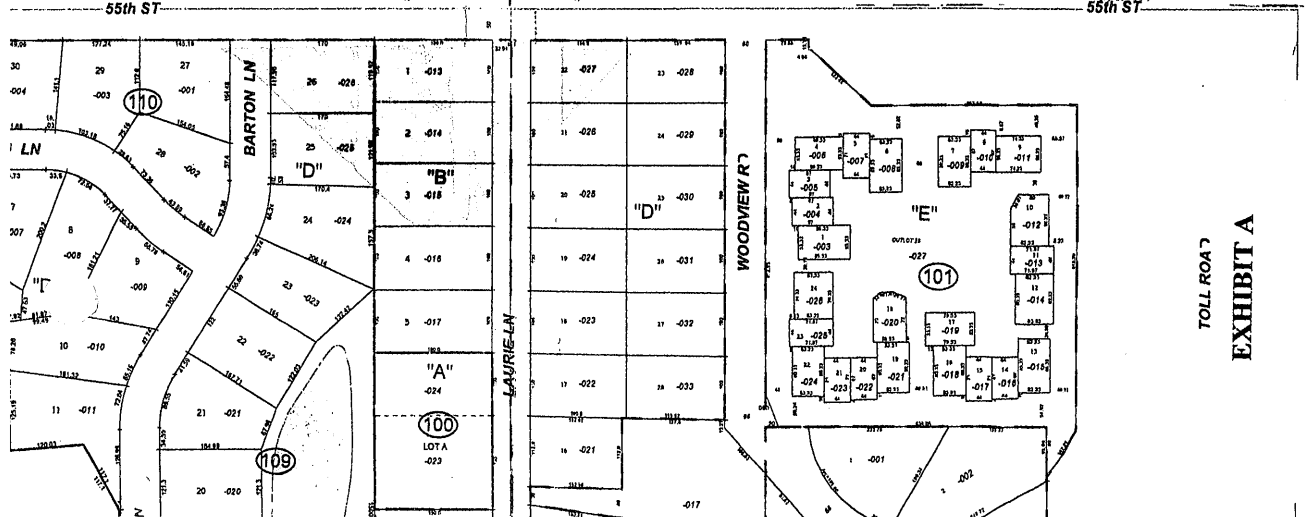
18-18-109-026-0000
HINSDALE MEADOWS
2550 WAUKEGAN ROAD #22
GLENVIEW, IL 60025

18-18-110-001-0000
HINSDALE MEADOWS
2550 WAUKEGAN ROAD #22
GLENVIEW, IL 60025

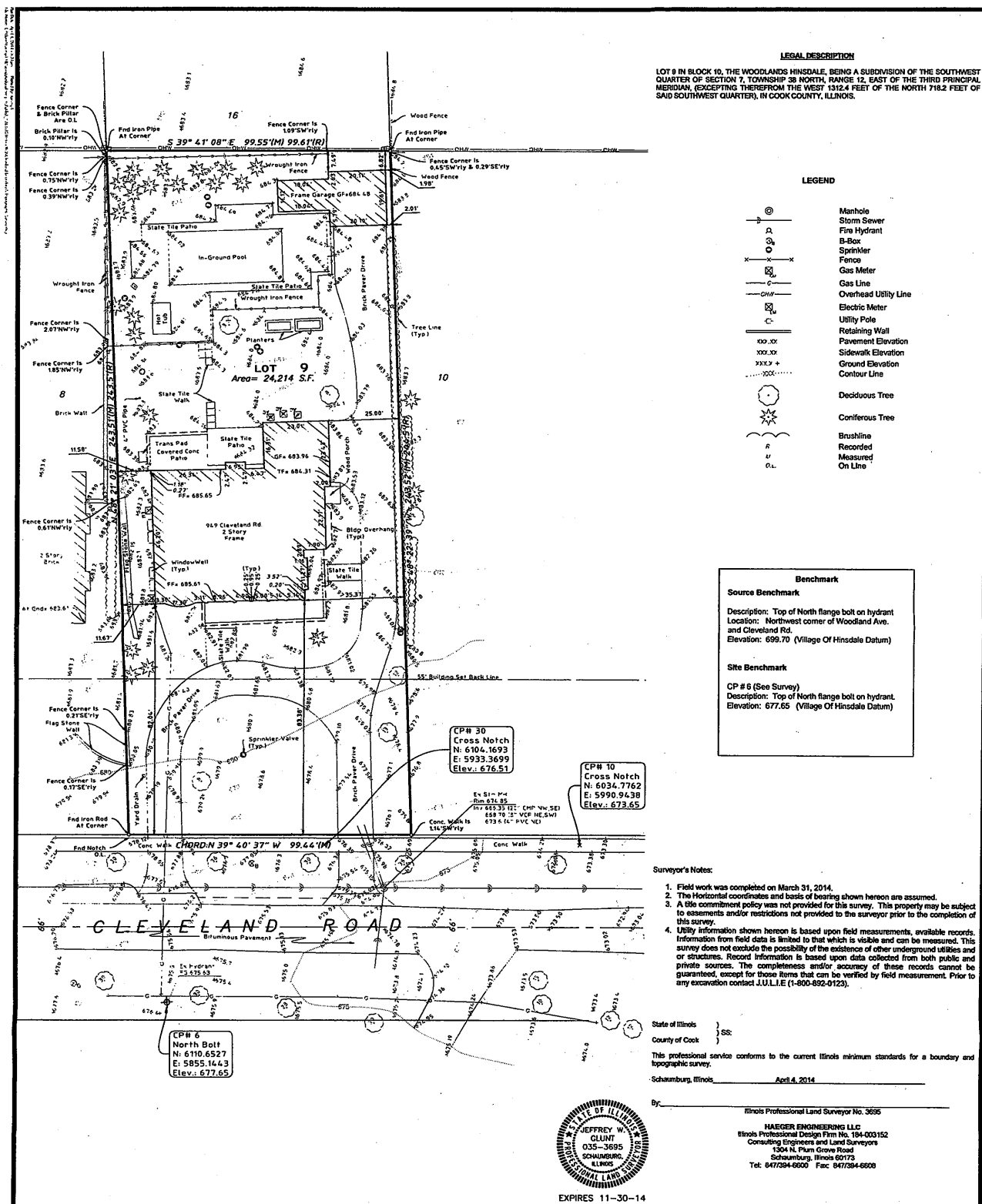
18-07-308-001-0000
EXEMPT

EXHIBIT A

STAPLES



TOLL ROAD 7
EXHIBIT A



LEGAL DESCRIPTION

LOT 9 IN BLOCK 10, THE WOODLANDS HINSDALE, BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 28 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THEREFROM THE WEST 1312.4 FEET OF THE NORTH 718.2 FEET OF SAID SOUTHWEST QUARTER), IN COOK COUNTY, ILLINOIS.

LEGEND

	Manhole
	Storm Sewer
	Fire Hydrant
	B-Box
	Sprinkler
	Fence
	Gas Meter
	Gas Line
	Overhead Utility Line
	Electric Meter
	Utility Pole
	Retaining Wall
	Pavement Elevation
	Sidewalk Elevation
	Ground Elevation
	Contour Line
	Deciduous Tree
	Coniferous Tree
	Brushline
	Recorded On Line

Benchmark

Source Benchmark

Description: Top of North flange bolt on hydrant
Location: Northwest corner of Woodland Ave. and Cleveland Rd.
Elevation: 699.70 (Village Of Hinsdale Datum)

Site Benchmark

CP #8 (See Survey)
Description: Top of North flange bolt on hydrant.
Elevation: 677.65 (Village Of Hinsdale Datum)

Surveyor's Notes:

- Field work was completed on March 31, 2014.
- The horizontal coordinates and basis of bearing shown hereon are assumed.
- A title commitment policy was not provided for this survey. This property may be subject to easements and/or restrictions not provided to the surveyor prior to the completion of this survey.
- Utility information shown hereon is based upon field measurements, available records, information from field data is limited to that which is visible and can be measured. This survey does not exclude the possibility of the existence of other underground utilities and/or structures. Record information is based upon data collected from both public and private sources. The completeness and/or accuracy of these records cannot be guaranteed, except for those items that can be verified by field measurement. Prior to any excavation contact J.U.L.I.E. (1-800-892-0123).

State of Illinois

County of Cook

This professional service conforms to the current Illinois minimum standards for a boundary and topographic survey.

Schaumburg, Illinois April 4, 2014

By: Jeffrey W. Glunt, Illinois Professional Land Surveyor No. 3695

HAEGER ENGINEERING LLC
Illinois Professional Design Firm No. 194-003152
Consulting Engineers and Land Surveyors
1504 N. Plum Grove Road
Schaumburg, Illinois 60173
Tel: 847/394-6600 Fax: 847/394-6600



EXPIRES 11-30-14

BOUNDARY & TOPOGRAPHIC
SURVEY
949 CLEVELAND ROAD
HINSDALE, ILLINOIS

HAEGER ENGINEERING
consulting engineers • land surveyors
1504 N. Plum Grove Road, Schaumburg, IL 60173 • Tel: 847/394-6600 Fax: 847/394-6600
Illinois Professional Design Firm License No. 194-003152
www.haeger-engineering.com

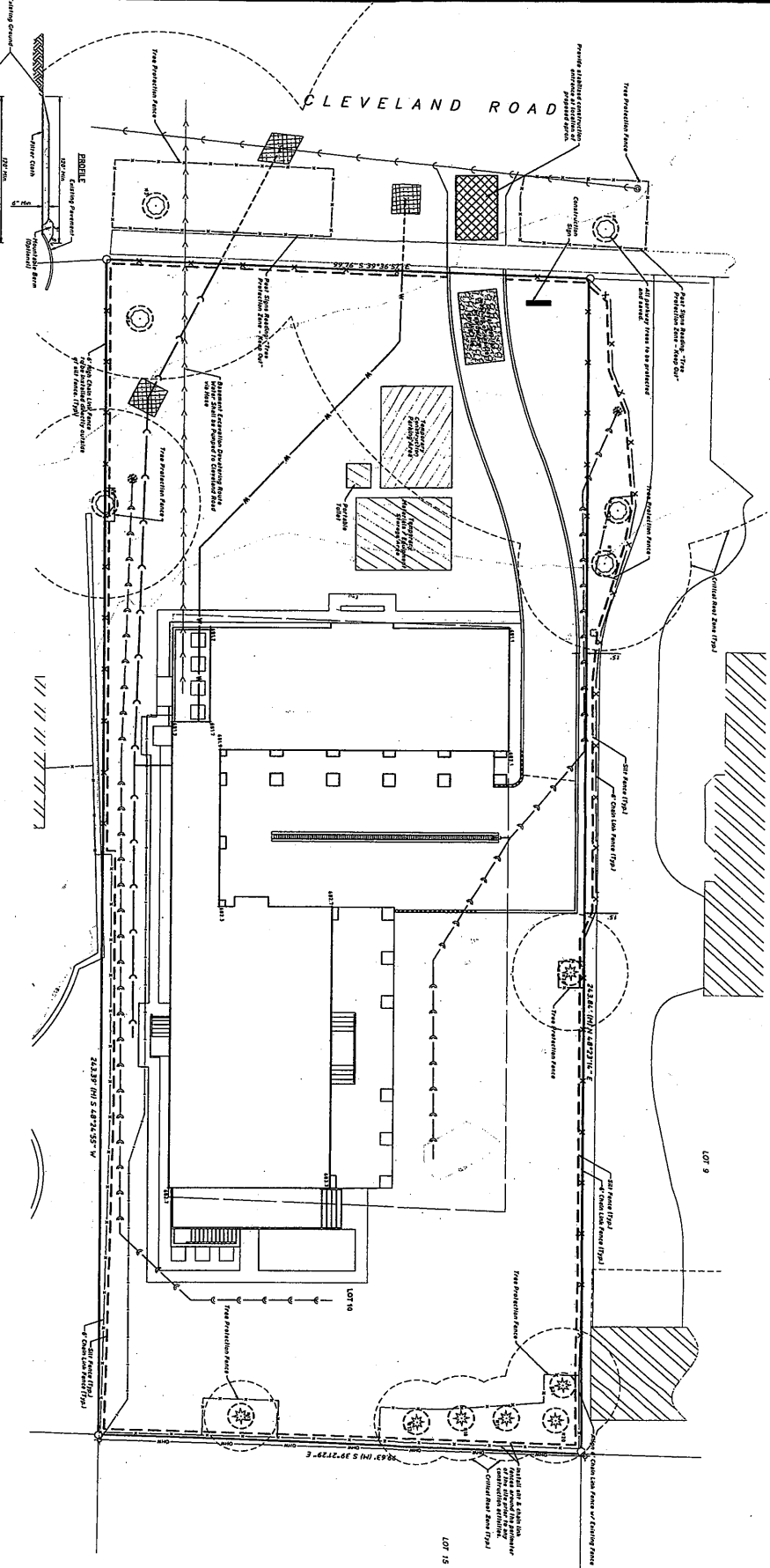
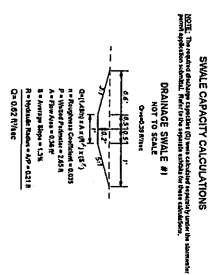
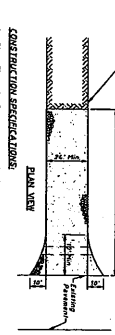






STABILIZED CONSTRUCTION ENTRANCE

- CONSTRUCTION SPECIFICATIONS:**
1. Stone Size - 6" to 7" max, or retained or recycled concrete equivalent.
 2. Use where a 20 foot minimum depth is required.
 3. Rockeries - Not less than 48" high.
 4. Width - Twenty-Four (24) feet minimum, but not less than the full width of the driveway.
 5. Right of Way - Not to exceed the width of the driveway.
 6. Material - Not to exceed 5% fines.
 7. Material - Not to exceed 5% fines.
 8. Material - Not to exceed 5% fines.
 9. Material - Not to exceed 5% fines.
 10. Material - Not to exceed 5% fines.



No.	Date	Revised	By	Checked
1	10/15/2024		JDOYLE	
2	10/15/2024		JDOYLE	
3	10/15/2024		JDOYLE	

CONSTRUCTION MANAGEMENT PLAN
SITE IMPROVEMENT PLAN
955 CLEVELAND ROAD
REVISIONS

HAEGGER ENGINEERING
10001 Northpark Drive, Suite 100, Dallas, TX 75243
Phone: 972.381.1111
Fax: 972.381.1112
Email: info@haegger.com
Web: www.haegger.com



Doc#: 0606833031 Fee: \$28.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 03/09/2008 07:30 AM Pg: 1 of 3

WARRANTY DEED IN TRUST

THIS INDENTURE WITNESSETH, that the Grantor, JKLL, LLC, an Illinois limited liability company, of the County of COOK and State of ILLINOIS, for and in consideration of 10.00 Dollars, and other good and valuable considerations in hand paid, conveys and warrants unto the ATG TRUST COMPANY, an Illinois Corporation, as trustee under the provisions of a trust agreement dated the 1st day of March, 2006, known as Trust Number 10241, the following described real estate in the County of COOK and State of Illinois, to wit:

LOT 9 IN BLOCK 10, 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 1312.4 FEET OF THE NORTH 718.2 FEET OF SAID SOUTHWEST ¼), IN COOK COUNTY, ILLINOIS

SUBJECT TO: General real estate taxes not due and payable at the date hereof; covenants, conditions and restrictions of record; building lines and easements.

Permanent Tax Number: 18-07-310-009-0000

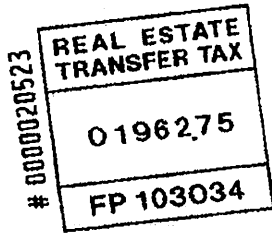
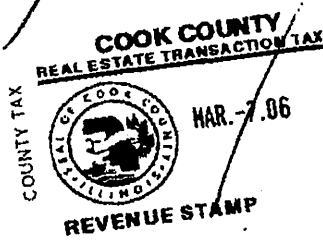
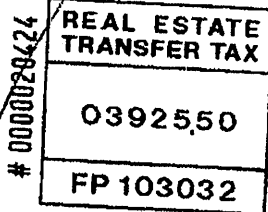
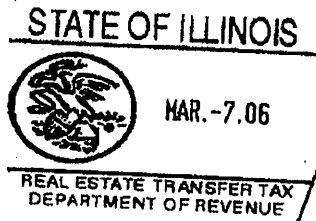
TO HAVE AND TO HOLD the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth.

Full power and authority is hereby granted to said trustee to improve, manage, protect, and subdivide said premises or any part thereof, to dedicate parks, streets, highways, or alleys and to vacate any subdivision or part thereof, and to re-subdivide said property as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said premises or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers, and authorities vested in said trustee, to donate, to dedicate, to mortgage, to pledge or otherwise to encumber said property, or any part thereof, to lease said property, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 198 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change, or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said property, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey, or assign any right, title, or interest in or about or easement appurtenant to said premises or any part thereof, and to deal with said property and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

Street address of above described property: 949 Cleveland Road, Hinsdale, IL 60521

BOX 333-CT

GROUP EXHIBIT C



In no case shall any party dealing with said trustee in relation to said premises, or to whom said premises or any part thereof shall be conveyed, contracted to be sold, leased, or mortgaged by said trustee, be obliged to see to the application of any purchase money, rent, or money borrowed, or advanced on said premises, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the necessity or expediency of any act of said trustee, or be obliged or privileged to inquire into any of the terms of said trust agreement, and every deed, trust deed, mortgage, lease, or other instrument executed by said trustee in relation to said real estate shall be conclusive evidence in favor of every person relying upon or claiming under any such conveyance, lease, or other instrument, (a) that at the time of the delivery thereof the trust created by this indenture and by said trust agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this indenture and in said trust agreement or in some amendment thereof and binding upon all beneficiaries thereunder, (c) that said trustee was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage, or other instrument, and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties, and obligations of its, his, her, or their predecessor in trust.

The interest of each and every beneficiary hereunder and of all persons claiming under them or any of them shall be only in the earnings, avails, and proceeds arising from the sale or other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in the earnings, avails, and proceeds thereof as aforesaid.

If the title to any of the above lands is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust" or "upon condition" or "with limitations," or words of similar import, in accordance with the statute in such case made and provided.

And the said Grantor(s) hereby expressly waive(s) and release(s) any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from sale on execution or otherwise.

In Witness Whereof, the Grantor(s) aforesaid has/have hereunto set his/her/their hand and seal this 3rd day of March, 2006.

(Seal) John M. Drews, attorney in fact (Seal)

(Seal) Linda Stuman, as Manager of JKLL, LLC (Seal)

By: John M. Drews, its attorney in fact

STATE OF ILLINOIS)
COUNTY OF COOK) SS I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO
HEREBY CERTIFY that Linda Stuman, as Mgr, by John M. Drews, attorney in fact, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he/she/they signed, sealed, and delivered the said instruments as his/her/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 this 3rd day of March.

A. Kramme
Notary Public

Mail this recorded instrument to:

ALLEN C. BALK
MELTZER PURTILL & STELLE LLC
300 SOUTH WACKER DRIVE, 35TH FLOOR
CHICAGO, ILLINOSI 60606-6704

Mail future tax bills to:

TRUST NO. 10241
949 Cleveland Road
Hinsdale, Illinois 60521

This instrument prepared by:

ALLEN C. BALK
MELTZER PURTILL & STELLE LLC
300 SOUTH WACKER DRIVE, 35TH FLOOR
CHICAGO, ILLINOSI 60606-6704



3/3 2011-03545
Trustee's DEED
(INDIVIDUAL TO TRUST)

THE GRANTOR, Theresa W. Henderson, as
Trustee of the Theresa W. Henderson Trust
dated February 12, 2008,

of the Village of Hinsdale, County of Cook, State of
Illinois, for and in consideration of Ten and no/100
Dollars and other valuable consideration in hand
paid,

CONVEYS AND WARRANTS to

Christina Steil, Trustee of the Gregory F. Steil
Descendants Trust U/T/A dated November 1, 2005
949 Cleveland Rd., Hinsdale, IL 60521

the following described Real Estate situated in the County of Cook in the State of Illinois, to wit:

SEE ATTACHED LEGAL DESCRIPTION

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

Address of Real Estate,
Permanent Real Estate Number(s): 955 Cleveland Rd., Hinsdale, IL 60521
Address of Real Estate PIN: 18-07-310-010-0000

DATED this 22nd day of June, 2011.

Theresa W. Henderson (SEAL)
Theresa W. Henderson, as Trustee of the
Theresa W. Henderson Trust dated February 12, 2008

Jon E. Henderson (SEAL)
Jon E. Henderson

State of Illinois, County of DuPage ss. I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO
HEREBY CERTIFY that Theresa W. Henderson & Jon E. Henderson are personally known to me to be the same persons whose
names subscribed to the foregoing instrument, appeared before me this day in person, and acknowledge 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 this 22nd day of June, 2011.

Kristin Nugent
Notary Public



Prepared by: Peter Coules, Jr., Esq., Donatelli & Coules, Ltd., 15 Salt Creek Lane, Suite 312, Hinsdale, Illinois 60521

Mail To:

Theresa McKenzie Esq.
(Name)

120 S. Riverside Plaza, Ste 1200
(Address)

Chicago, IL 60606
(City, State and Zip)

Send Subsequent Tax Bills To:

Christina Steil, Trustee
(Name)

949 Cleveland Rd.
(Address)

Hinsdale, IL 60521
(City, State and Zip)

PREMIER TITLE
1350 W. NORTHWEST HIGHWAY
ARLINGTON HEIGHTS, IL 60004
(847) 255-7100


GROUP EXHIBIT C


LEGAL DESCRIPTION

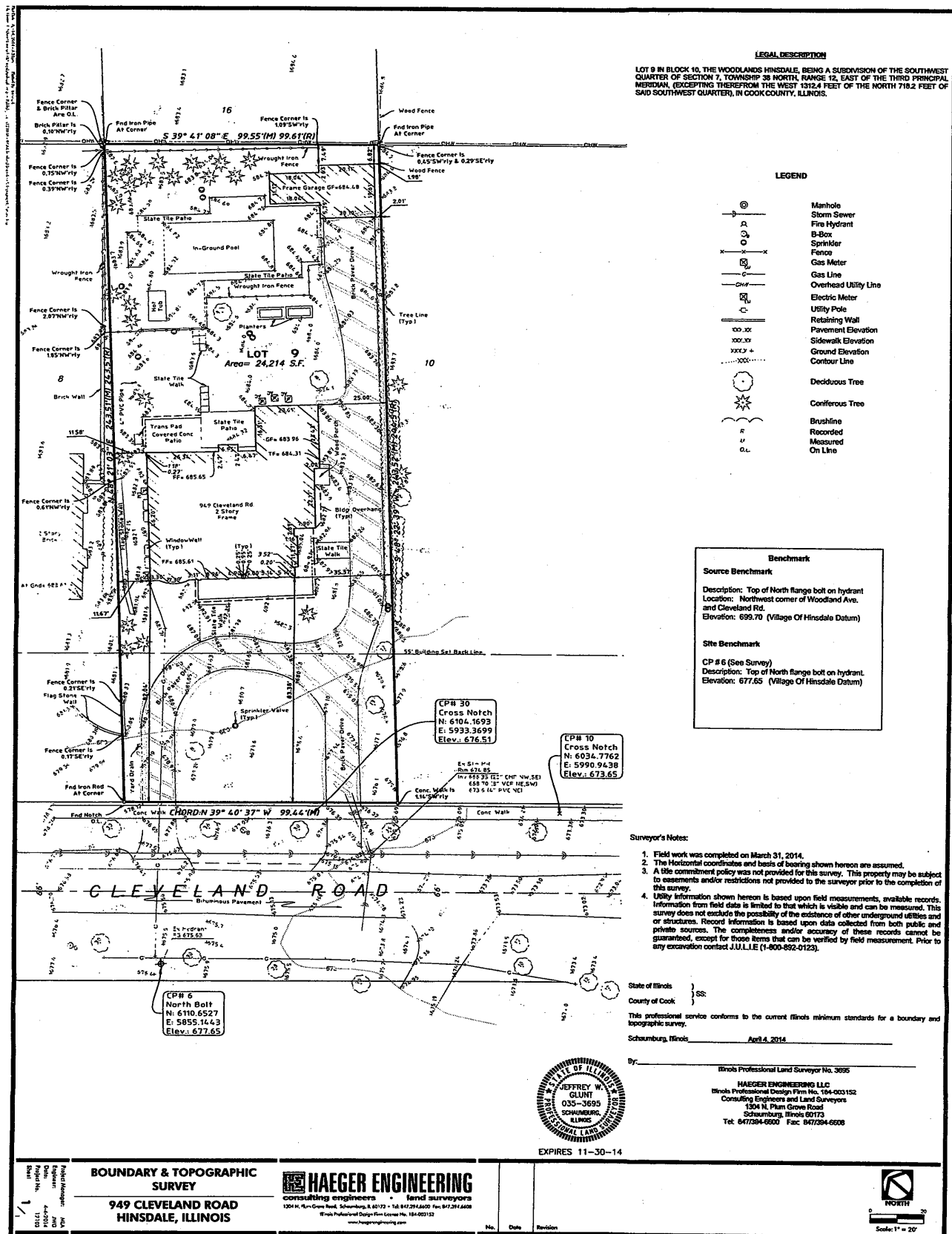
LOT 10 IN BLOCK 10 IN THE WOODLANDS HINSDALE, BEING A SUBDIVISION OF THE SOUTHWEST 1/4 OF THE SECTION 7, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 1312.4 FEET OF THE 718.2 FEET OF SAID SOUTHEAST 1/4) IN COOK COUNTY, ILLINOIS.

Commonly Known As: 955 Cleveland Rd., Hinsdale, IL 60521
 PIN: ~~2013-03545~~ 18-07-310-010-0000

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

STATE TAX	STATE OF ILLINOIS	# 000000031	REAL ESTATE TRANSFER TAX
	 JUL.-6.11		01225.00
	REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE		FP 103049

COUNTY TAX	COOK COUNTY REAL ESTATE TRANSACTION TAX	# 000000032	REAL ESTATE TRANSFER TAX
	 JUL.-6.11		00612.50
	REVENUE STAMP		FP 103052



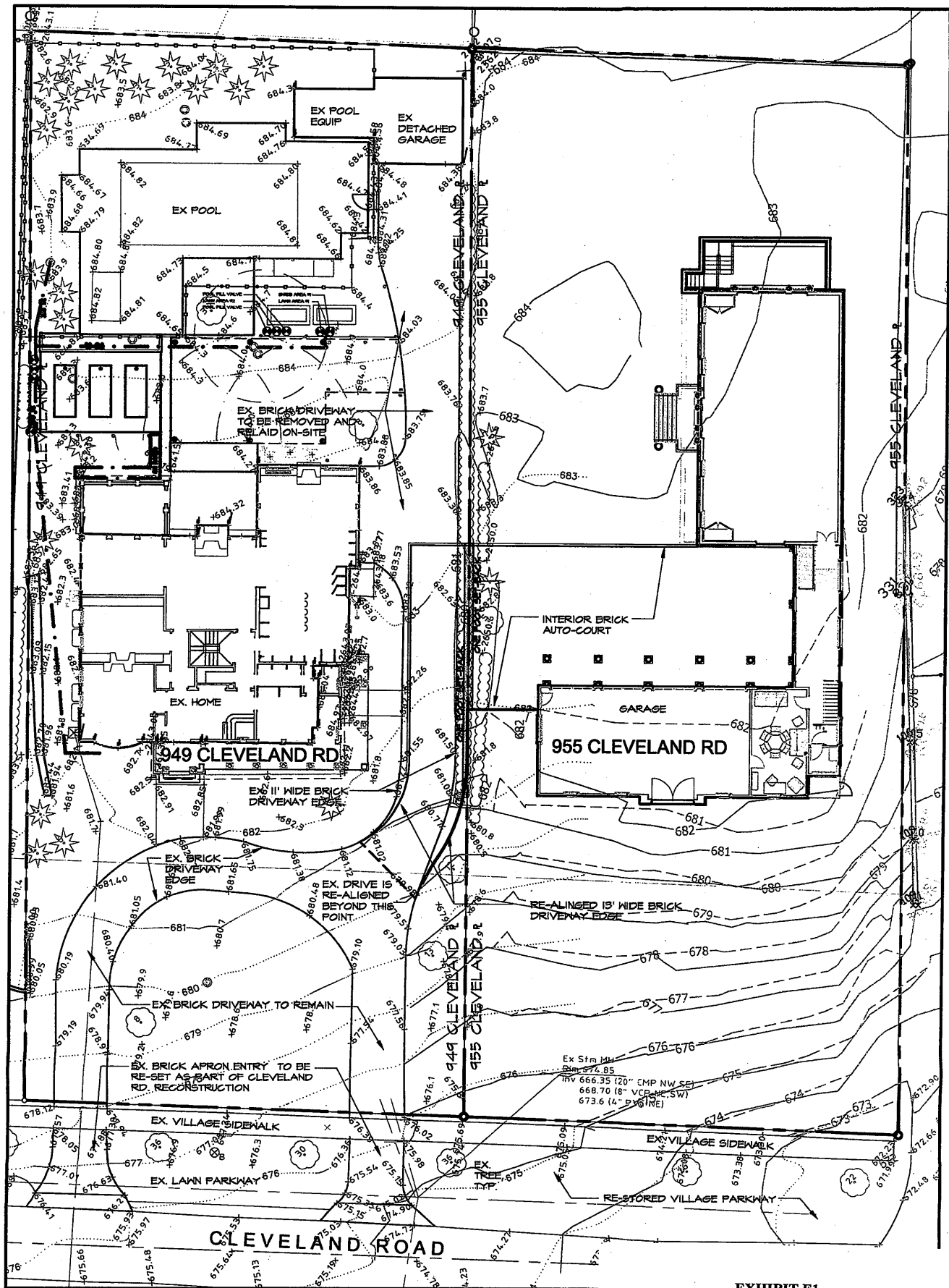


EXHIBIT E1
OPTION #1 - CODE COMPLIANT

BERGFELDSTUDIO
LANDSCAPE ARCHITECTURE

911 EDWARD STREET
HENRY, IL 61537

T 309.364.3071
M 815.303.3996

CLIENT
STEIL RESIDENCE
949-955 CLEVELAND RD. HINSDALE, IL

SUBJECT
PROPERTY ACCESS

Date
04.22.14
SCALE
1"=20'-0"
© 2014 BSL

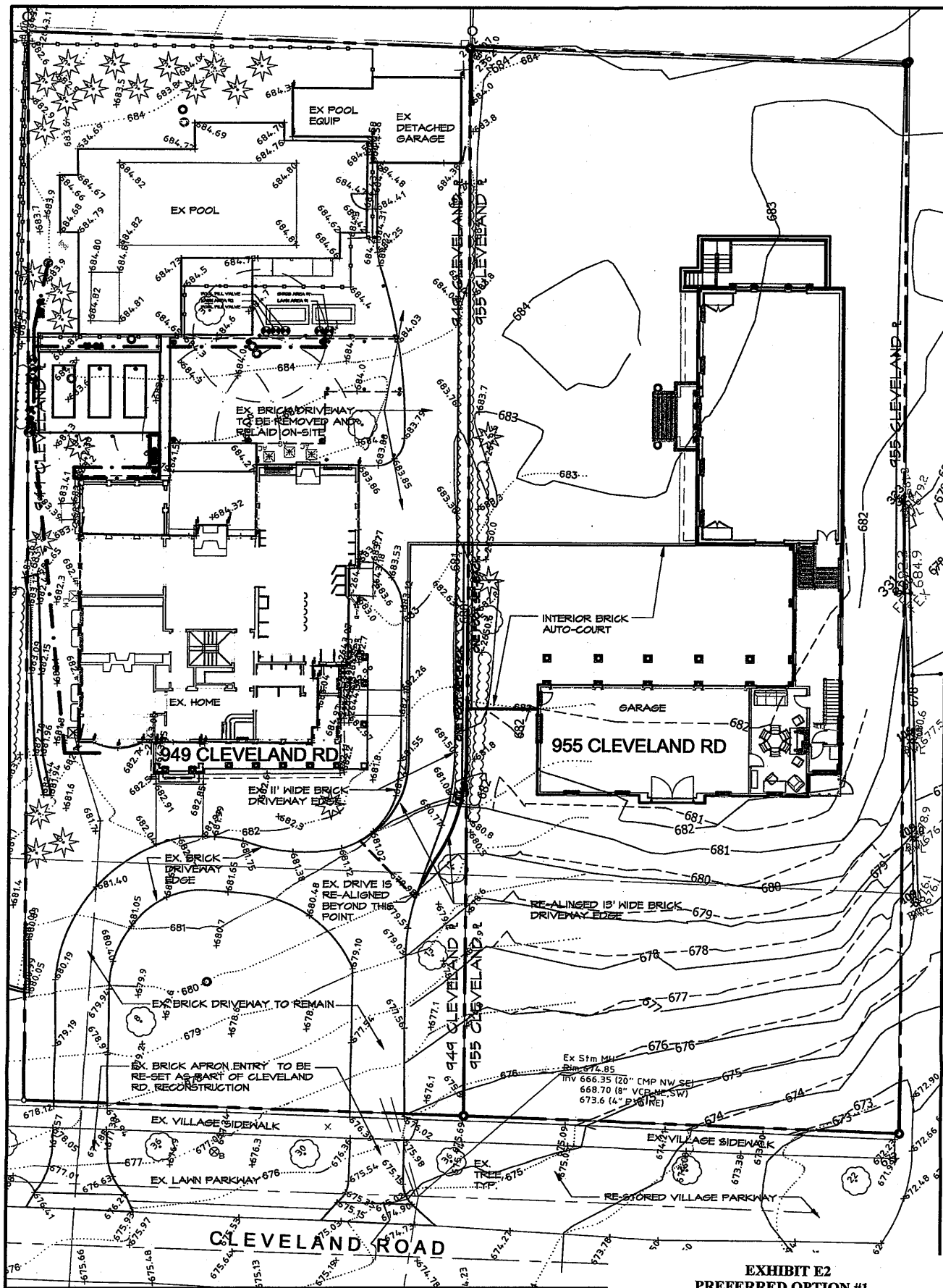


EXHIBIT E2
PREFERRED OPTION #1 -
WITH VARIATION

BERGFELDSSTUDIO
LANDSCAPE ARCHITECTURE

911 EDWARD STREET
HENRY, IL 61537

T 309.364.3071
M 815.303.3996

CLIENT
STEIL RESIDENCE
949-955 CLEVELAND RD. HINSDALE, IL

SUBJECT
PROPERTY ACCESS

DATE
04.22.14
SCALE
1"=20'-0"
© 2014 BSL

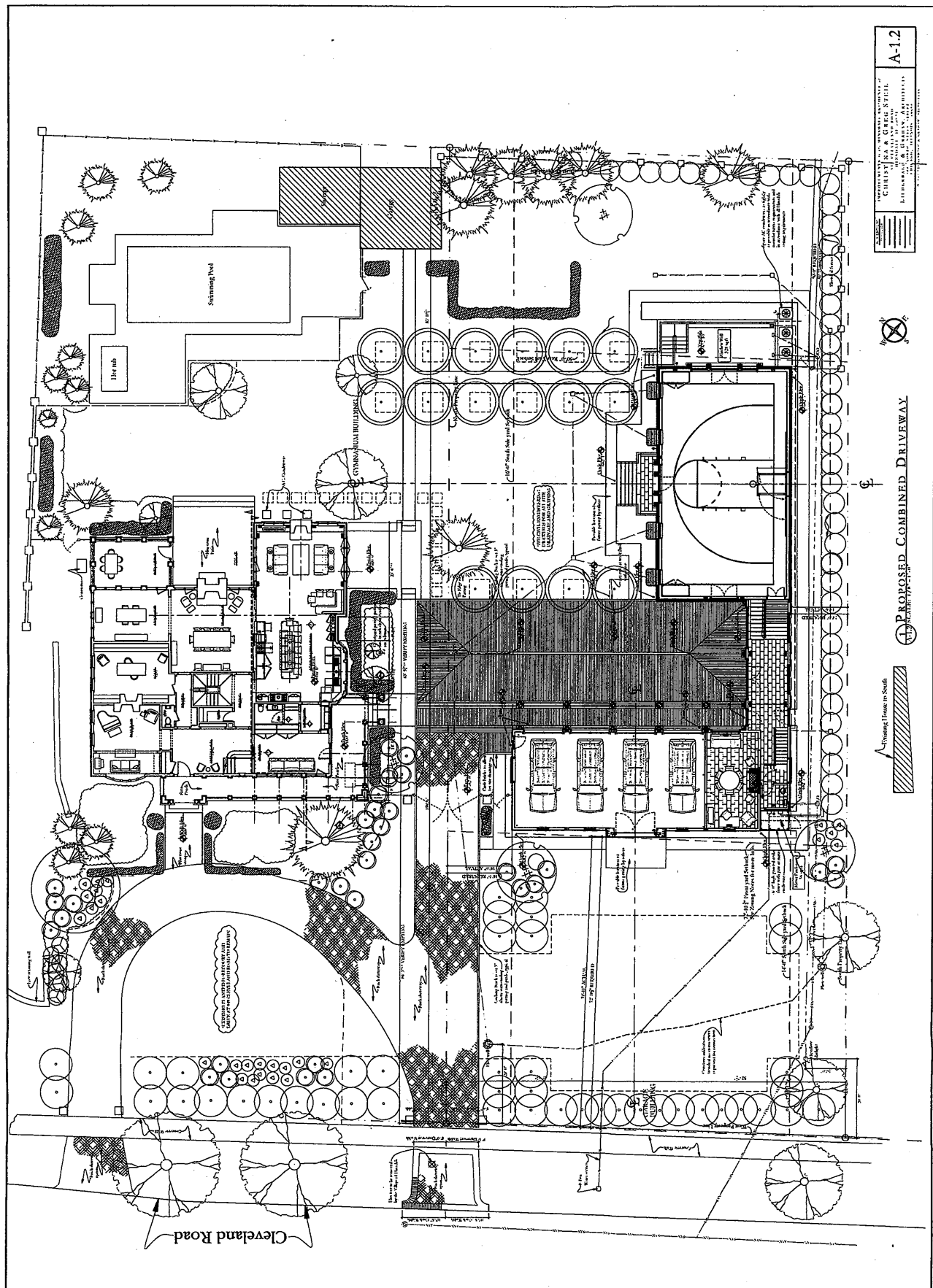
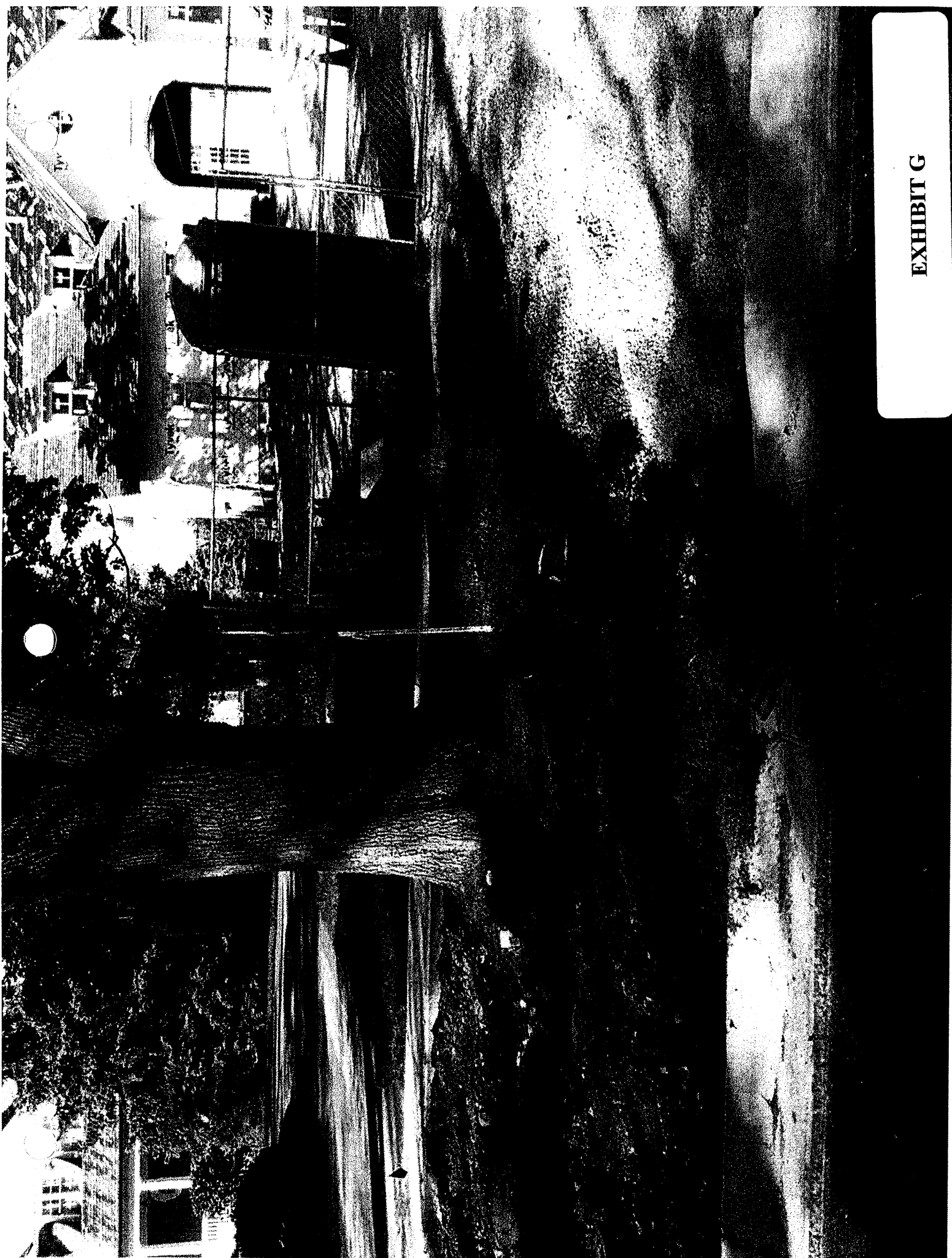
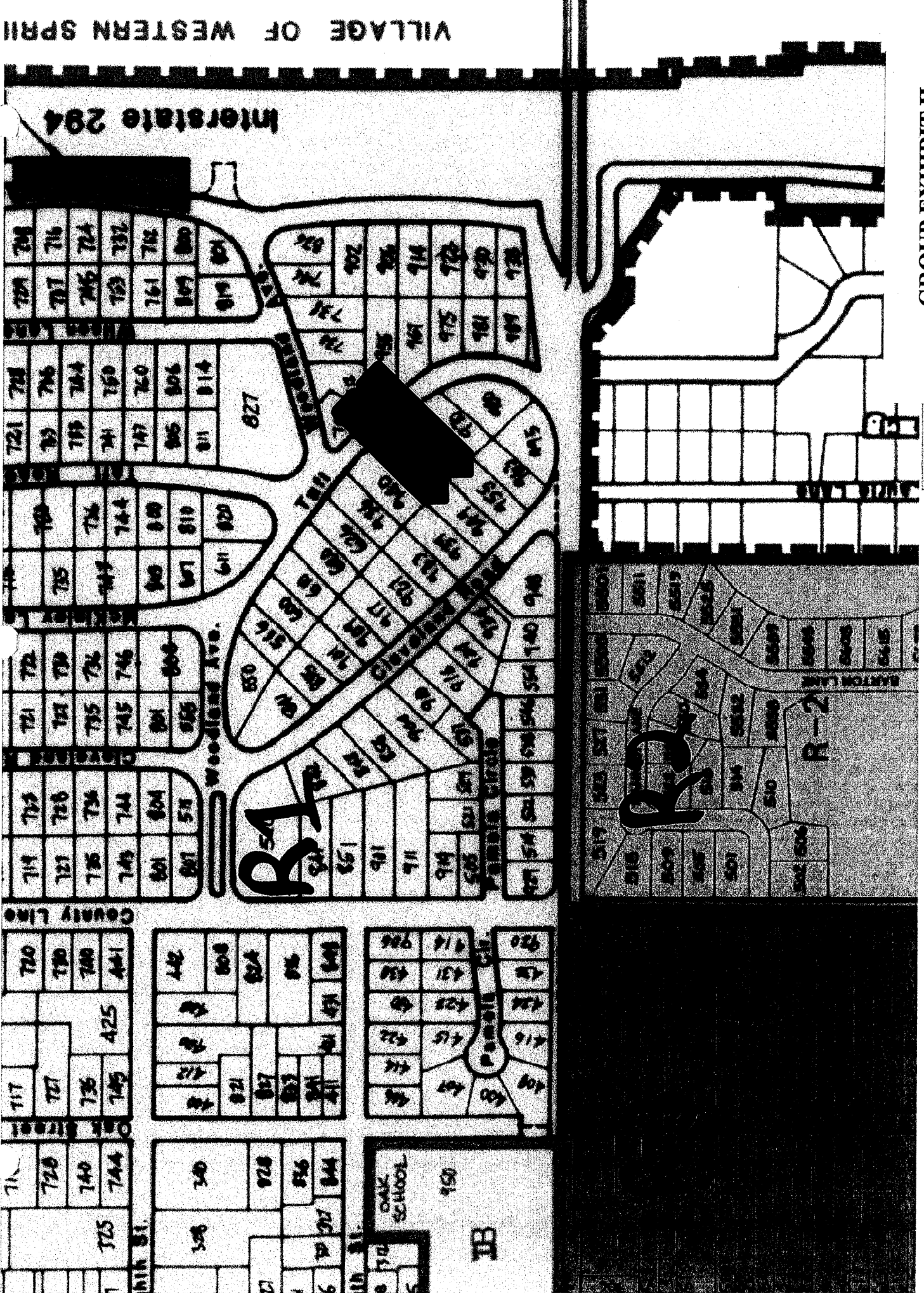
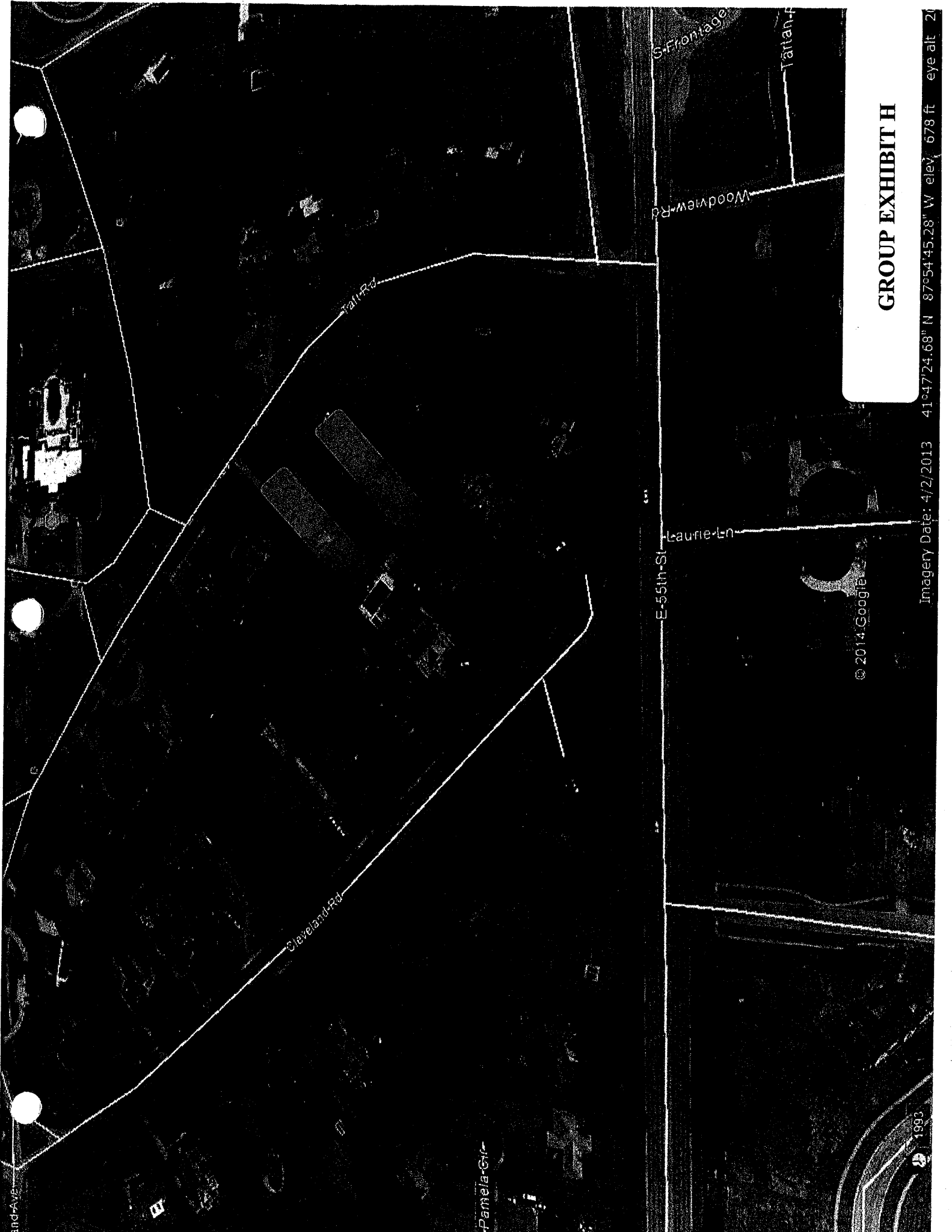


EXHIBIT G







GROUP EXHIBIT H

© 2014 Google