

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.

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

NAYS: None

ABSTAIN: None

ABSENT: Members Neiman and Callahan

Motion carried.

**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
August 20, 2014**

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, August 20, 2014 at 6:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois. He thanked retiring member John Callahan for his years of service and said he will be missed.

2. ROLL CALL

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

Absent: Members Marc Connelly and John Podliska

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) July 16, 2014

Chairman Neiman made a correction to the draft minutes. Member Moberly moved **to approve the minutes of the meeting of July 16, 2014, as amended.** Member Engel seconded the motion.

AYES: Members Moberly, Biggert, Engel and Chairman Neiman

NAYS: None

ABSTAIN: Member Giltner

ABSENT: Members Connelly and Podliska

Motion carried.

4. APPROVAL OF FINAL DECISION – None

5. RECEIPT OF APPEARANCES – None

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

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

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

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6 **7. PRE-HEARING AND AGENDA SETTING – None**

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8 **8. PUBLIC HEARINGS – None**

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10 **9. NEW BUSINESS – None**

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12 **10. UNFINISHED BUSINESS – None**

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14 **11. ADJOURNMENT**

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

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

20 **NAYS:** None

21 **ABSTAIN:** None

22 **ABSENT:** Members Neiman and Callahan

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24 Motion carried.

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

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31 _____
32 Christine M. Bruton
33 Village Clerk

Approved: _____

7. PRE-HEARING AND AGENDA SETTING

a) V-06-14, 949 and 955 Cleveland Road

Mr. Scott Day, attorney representing homeowners Gregory and Christina Steil, addressed the Board. He explained that the owners are asking for a variation so they can build a singular driveway to serve two properties, 949 and 955 Cleveland Road. They originally purchased the 949 Cleveland property, which has an elaborate circular drive. In 2011, the southeast property, 955 Cleveland Road, became available. They purchased the property, tore down the existing home and built another which includes a four-car garage, a sport court and a fitness facility. They intend to convert the two garages at 949 Cleveland to other purposes; one to a family room and the other to a pool house. Mr. Day pointed out that the Village Code says the location of a driveway shall not be closer than one (1) foot from the property line, and any driveway that would service both houses would intersect the lot line.

The homeowners considered other options, including: consolidation, but two homes on one lot is not permitted; a tunnel to connect the two homes, but then the setbacks would have to be altered; and a text amendment to allow two adjacent lots to be owned by the same person and to have a single driveway, but that seemed like a broader application than necessary. They met with staff and agreed that a variation was the best solution.

They would like to keep the existing driveway, but have it cross between the two lots. Mr. Day does not think it is a good functional solution to have two driveways adjacent to each other and grass or pavers filling the required one foot gap on each lot line. Staff raised the concern that at some point, if one of the lots was sold, someone wouldn't have access to the driveway; however, this Board could specify a condition if the house is sold. The restriction related to the variation can be recorded with the County for any future sale of either property.

Discussion followed regarding the future sale of the property. Mr. Day thinks these properties would be sold as a compound. Mr. McGinnis concurred because one of the homes is only a one bedroom house.

Chairman Neiman suggested Mr. Day focus more specifically on why they meet the criteria for variation, particularly the items of self-creation and denial of substantial rights. The hearing was set for September 17th.

8. PUBLIC HEARINGS – None

9. NEW BUSINESS – None

10. UNFINISHED BUSINESS – None

**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
September 17, 2014**

1. CALL TO ORDER

Vice-Chairman Keith Giltner called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, September 17, 2014 at 6:45 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois. He welcomed newest member John Podliska to the Board.

2. ROLL CALL

Present: Vice-Chairman Keith Giltner, Members Marc Connelly, Gary Moberly and John Podliska,

Absent: Members Rody Biggert and Kathryn Engel and Chairman Bob Neiman

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. Vice-Chairman Giltner asked that the minutes be moved to the next regularly scheduled meeting for approval.

b) August 20, 2014

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

4. APPROVAL OF FINAL DECISION - None

5. RECEIPT OF APPEARANCES – None

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

7. PUBLIC HEARINGS

a) V-06-14, 949 and 955 Cleveland Road

Mr. Scott Day, attorney for the applicant, addressed the Board stating that because an approval will require four approving votes and there are only four members present tonight, he elected to postpone the hearing until next month when more members of the Board may be present.

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



1 **11. ADJOURNMENT**

2 With no further business before the Zoning Board of Appeals, Member Biggert
3 made a motion to **adjourn the meeting of the Zoning Board of Appeals of**
4 **August 20, 2014.** Member Moberly seconded the motion.
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6 **AYES:** Members Moberly, Giltner, Biggert, Engel and Chairman Neiman

7 **NAYS:** None

8 **ABSTAIN:** None

9 **ABSENT:** Members Connelly and Podliska

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11 Motion carried.

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13 Chairman Neiman declared the meeting adjourned at 7:08 p.m.
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17 _____
18 Christine M. Bruton
19 Village Clerk
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Approved: _____

8a.

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

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 McElen 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:

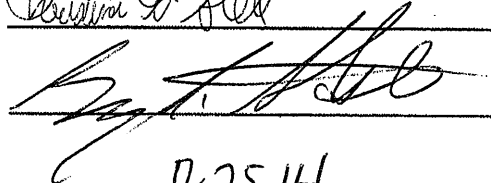
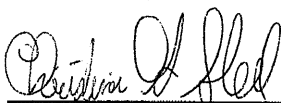
Christina G. Steil, Trustee of the Gregory F. Steil
Descendants Trust under Trust Agreement dated November
1, 2005

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

label size 1" x 2 5/8" compatible with Avery®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

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

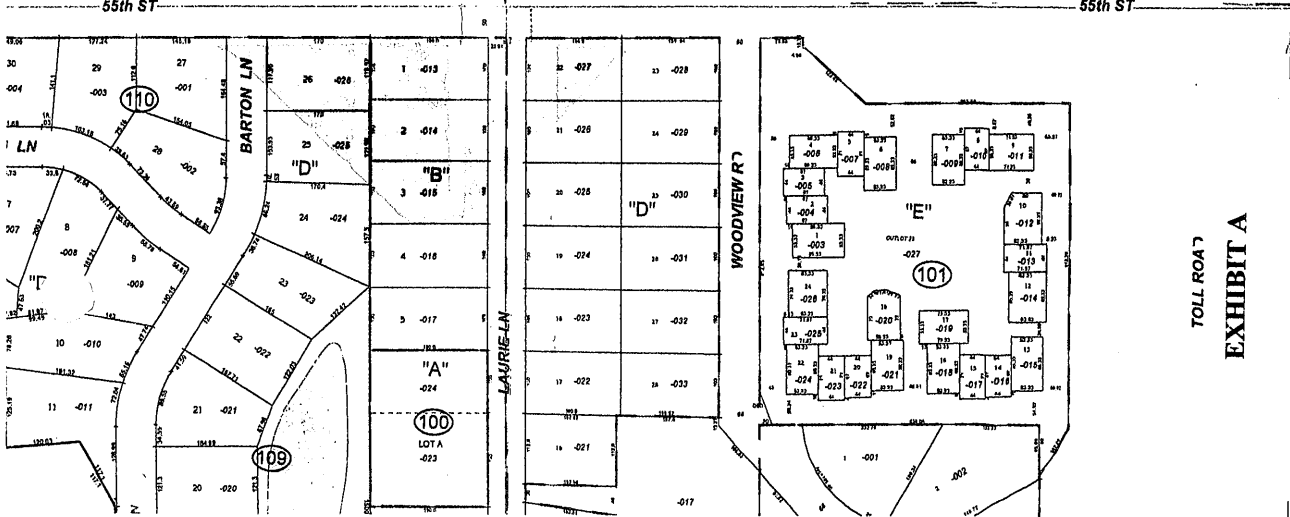
18-18-110-001-0000
HINSDALE MEADOWS
2550 WAUKEGAN ROAD #22
GLENVIEW, IL 60025

18-07-308-001-0000
EXEMPT

EXHIBIT A

STAPLES

label size 1" x 2 5/8" compatible with Avery®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160



TOLL ROAD
EXHIBIT A





No.	Date	Revision
1	2013-07-08	Wagner Ferriter Comments
2	2013-07-01	See Also 2 Village Comments
3	2013-07-08	Per Chair Comments

**CONSTRUCTION
MANAGEMENT PLAN**

SITE IMPROVEMENT PLANS

955 CLEVELAND ROAD

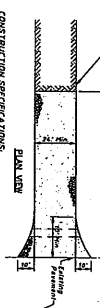
MINDALE, ILLINOIS

HAEGER ENGINEERING
Consulting engineers
1500 N. Sun Coast Road, Schaumburg, IL 60193 • Tel: 815/234-4600 Fax: 815/234-6808
www.haegerengineering.com

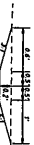
Project Manager: M.L.A.
Date: 2013-02-14
Engineer: JOT
Project No.: 12102K
Sheet 3 / 3

STABILIZED CONSTRUCTION ENTRANCE

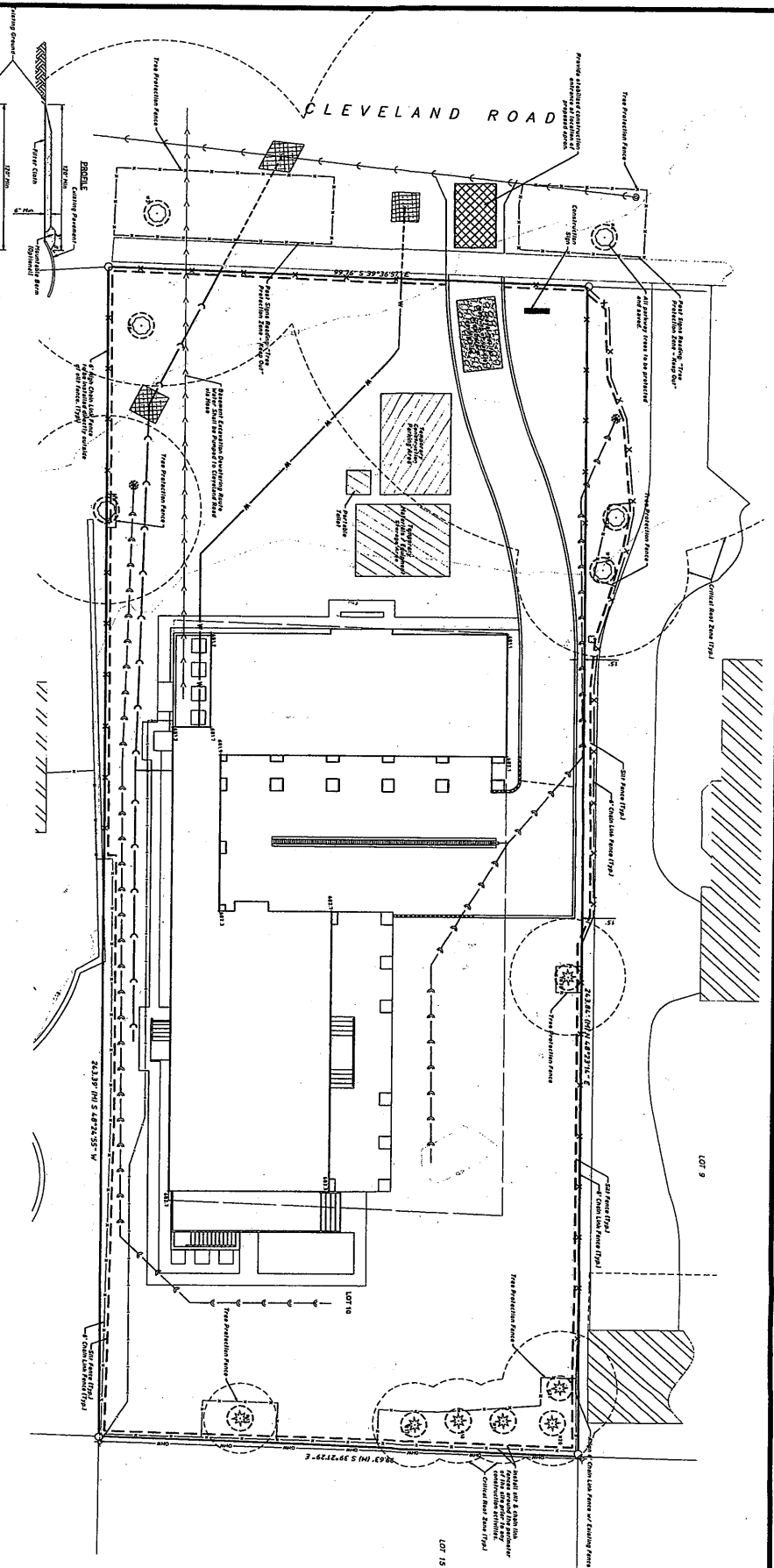
- [illegible]



SWALE CAPACITY CALCULATIONS



FOOTNOTES: The required discharge capacities (Q) were calculated separately under the assumption that the maximum current density is 100 A/m². The required capacity is proportional to the percent application workload. Refer to the separate exhibit for these calculations.



Scale: 1" = 10'

EXHIBIT B





Doc#: 0606833031 Fee: \$28.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 03/09/2006 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 1/4 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 1/4), 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

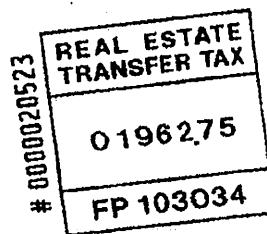
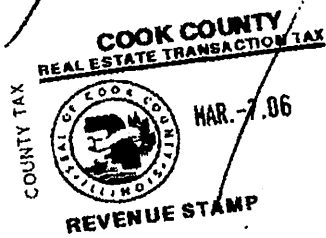
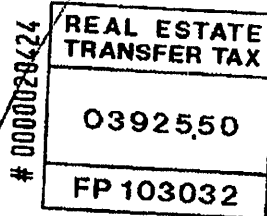
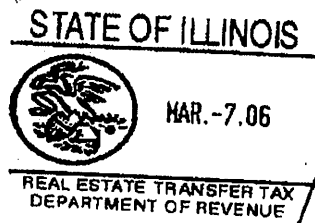
TO HAVE AND TO HOLD the said premises with the appurtenances upon the trusts and for the uses and purposes herein and in said trust agreement set forth.

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 Sluman, 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 Sluman, 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 purposed 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

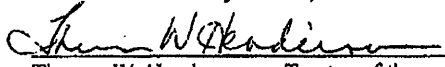
hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

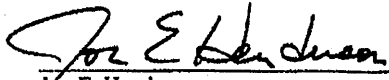
~~Address of Real Estate,~~

~~Permanent Real Estate Number(s):~~ 955 Cleveland Rd., Hinsdale, IL 60521

~~Address of Real Estate PIN:~~ 18-07-310-010-0000

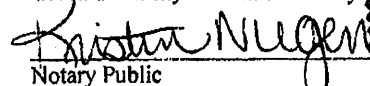
DATED this 22nd day of June, 2011.

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

 (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.


Notary Public



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

Mail To:

Theresia 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: ~~2011-03545~~ 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	# 0000000031	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	# 0000000032	REAL ESTATE TRANSFER TAX
	JUL.-6.11		00612.50
	REVENUE STAMP		FP 103052

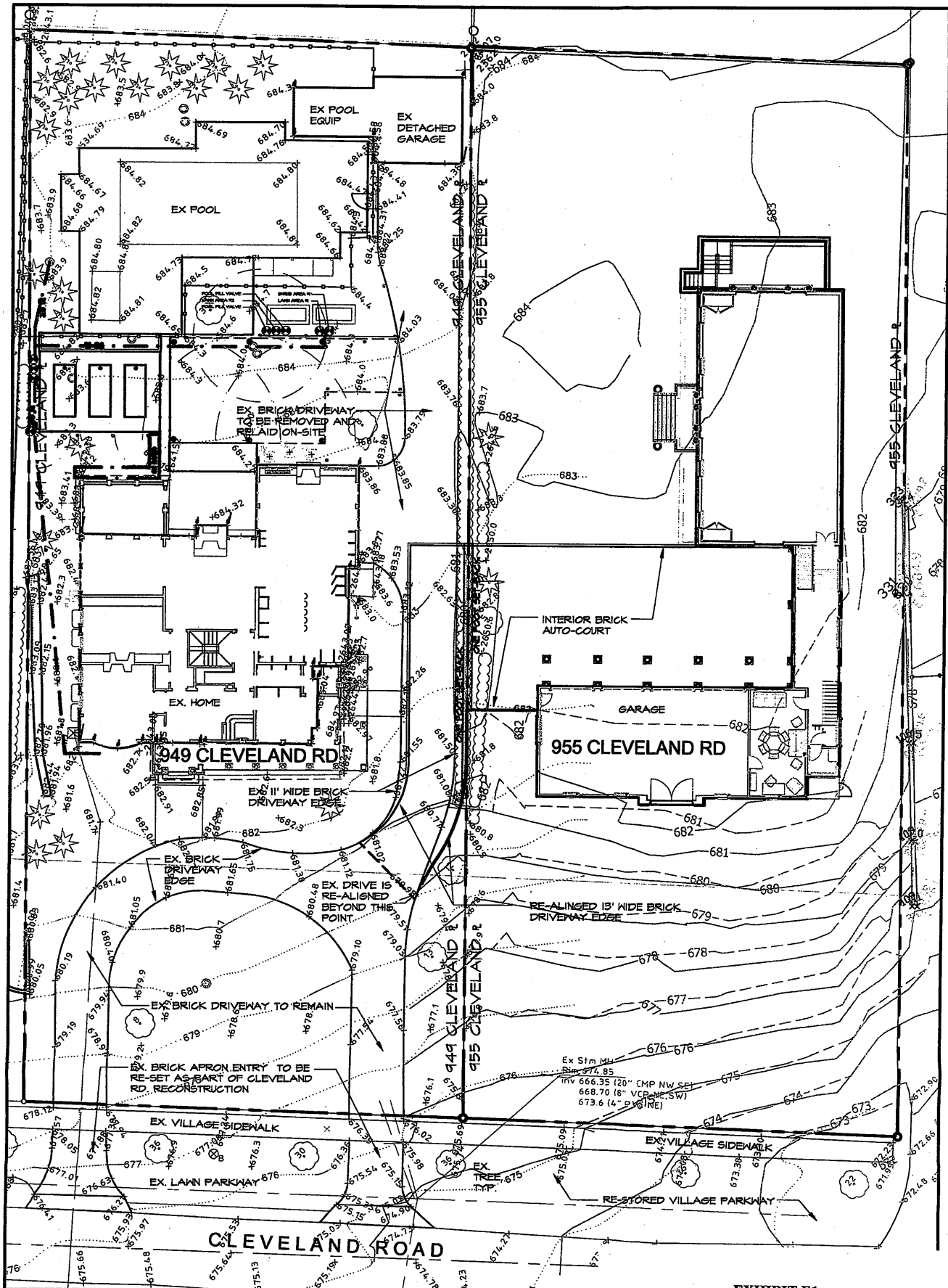


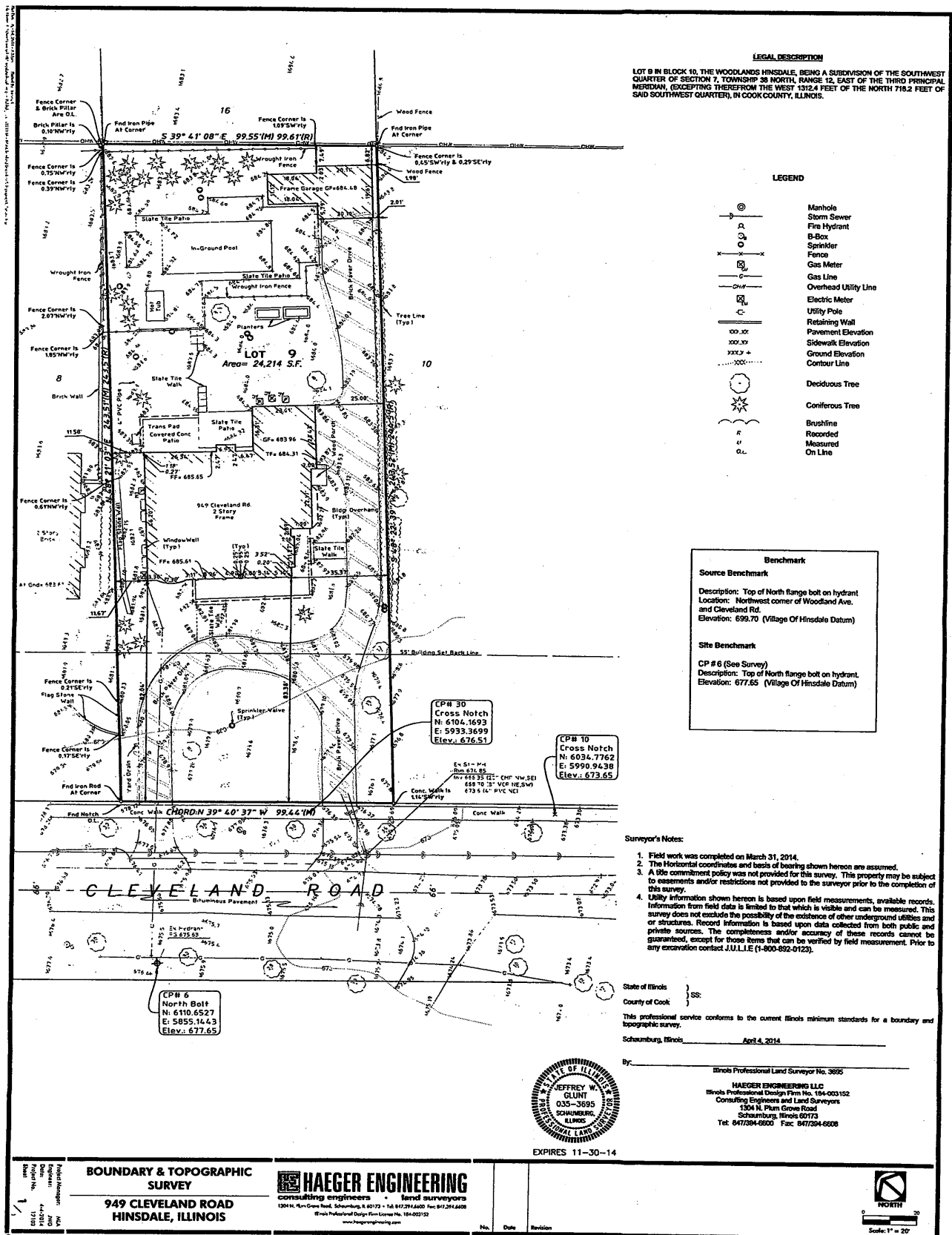
EXHIBIT E1
OPTION #1 - CODE COMPLIANT

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



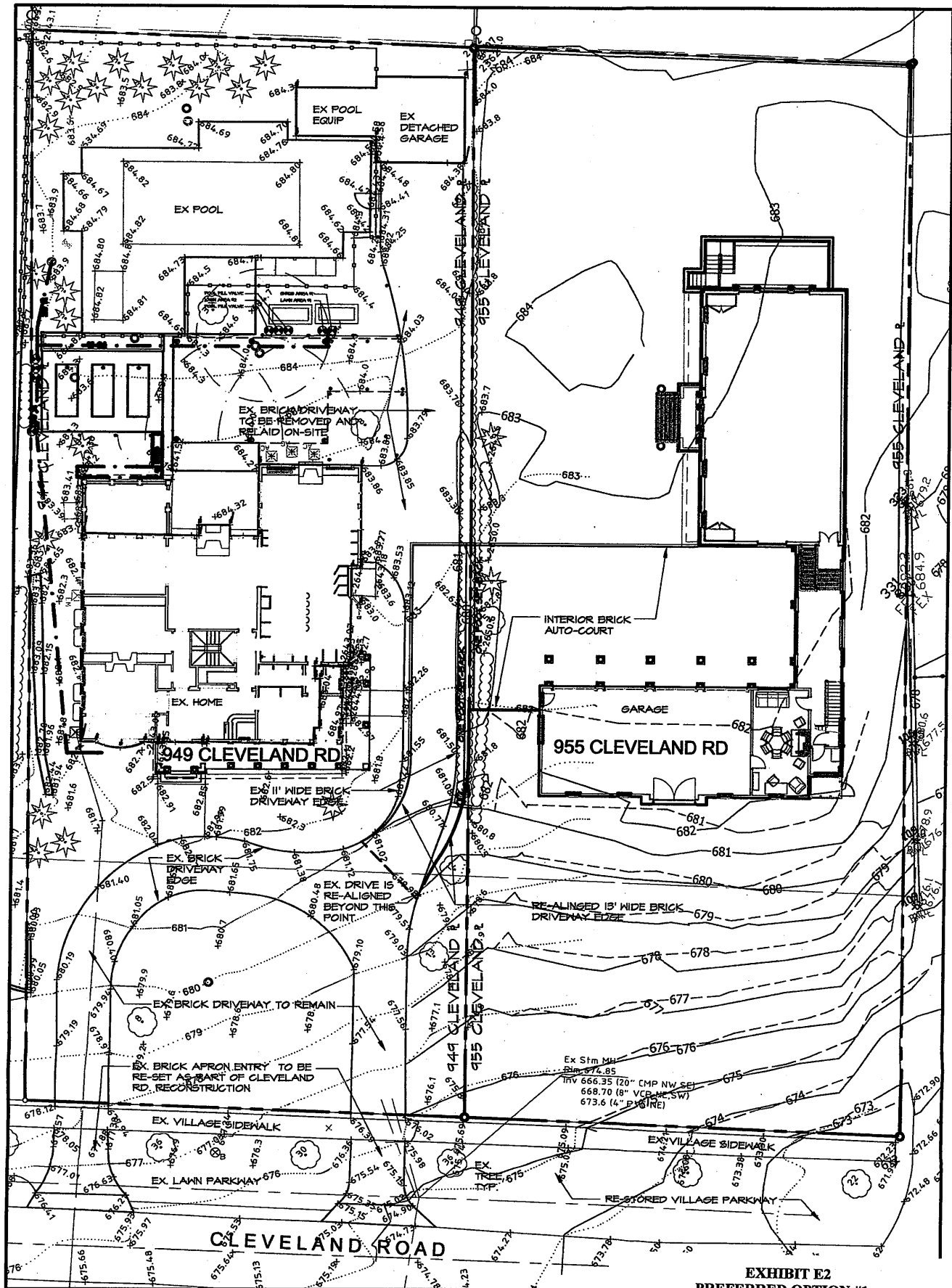


EXHIBIT E2
PREFERRED OPTION #1 -
WITH VARIATION

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

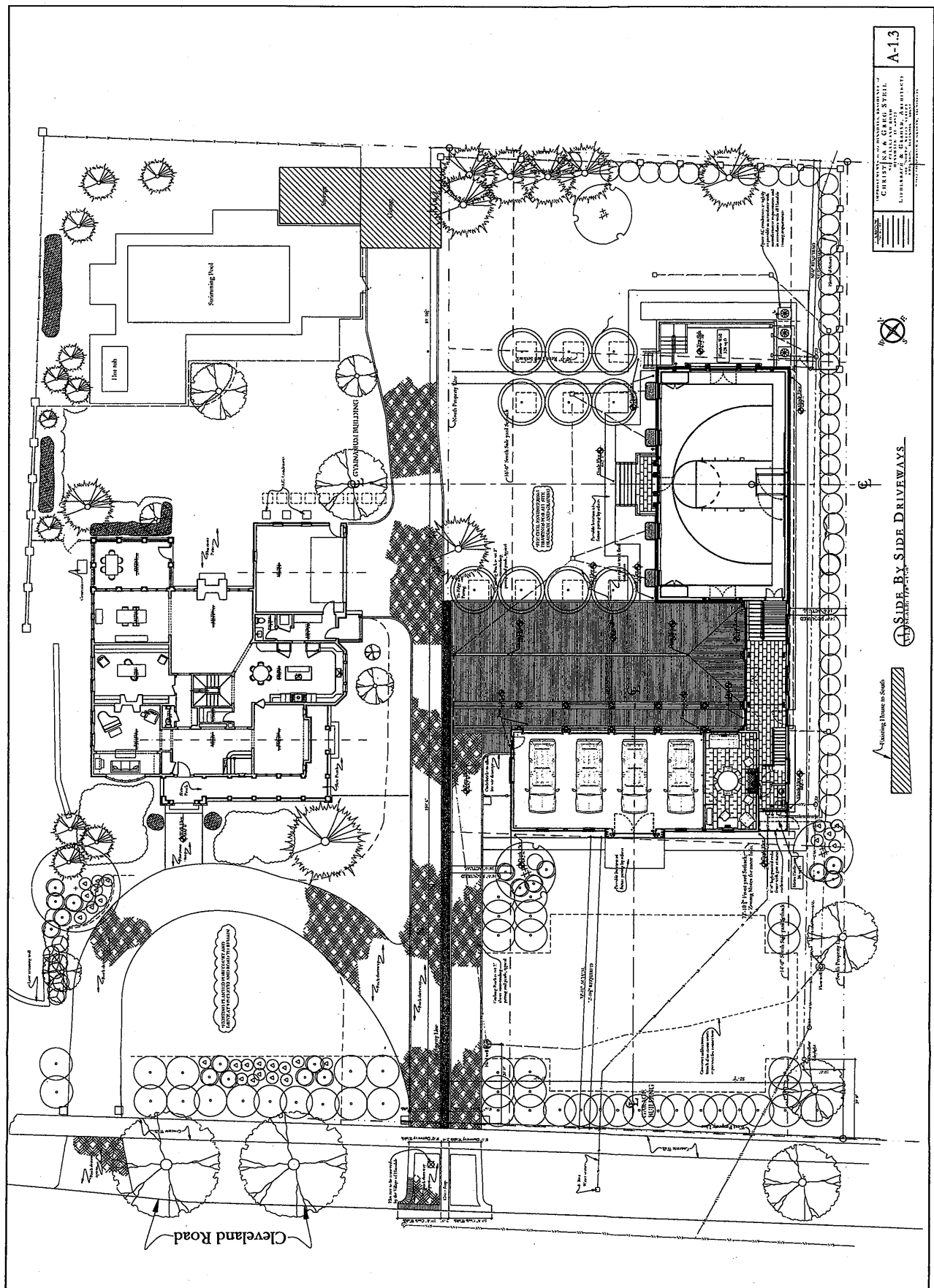


EXHIBIT F1
OPTION #2 - CODE COMPLIANT

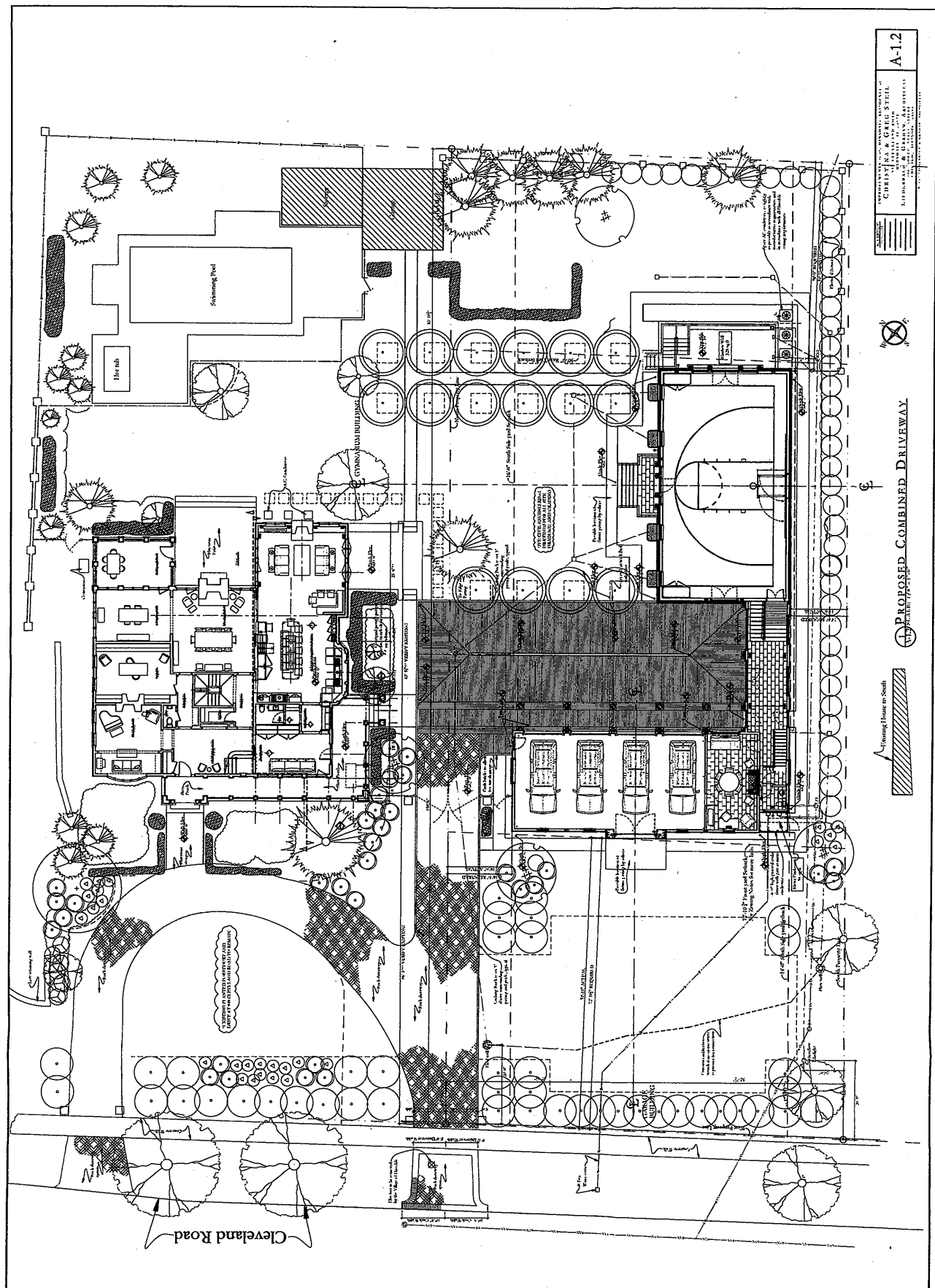
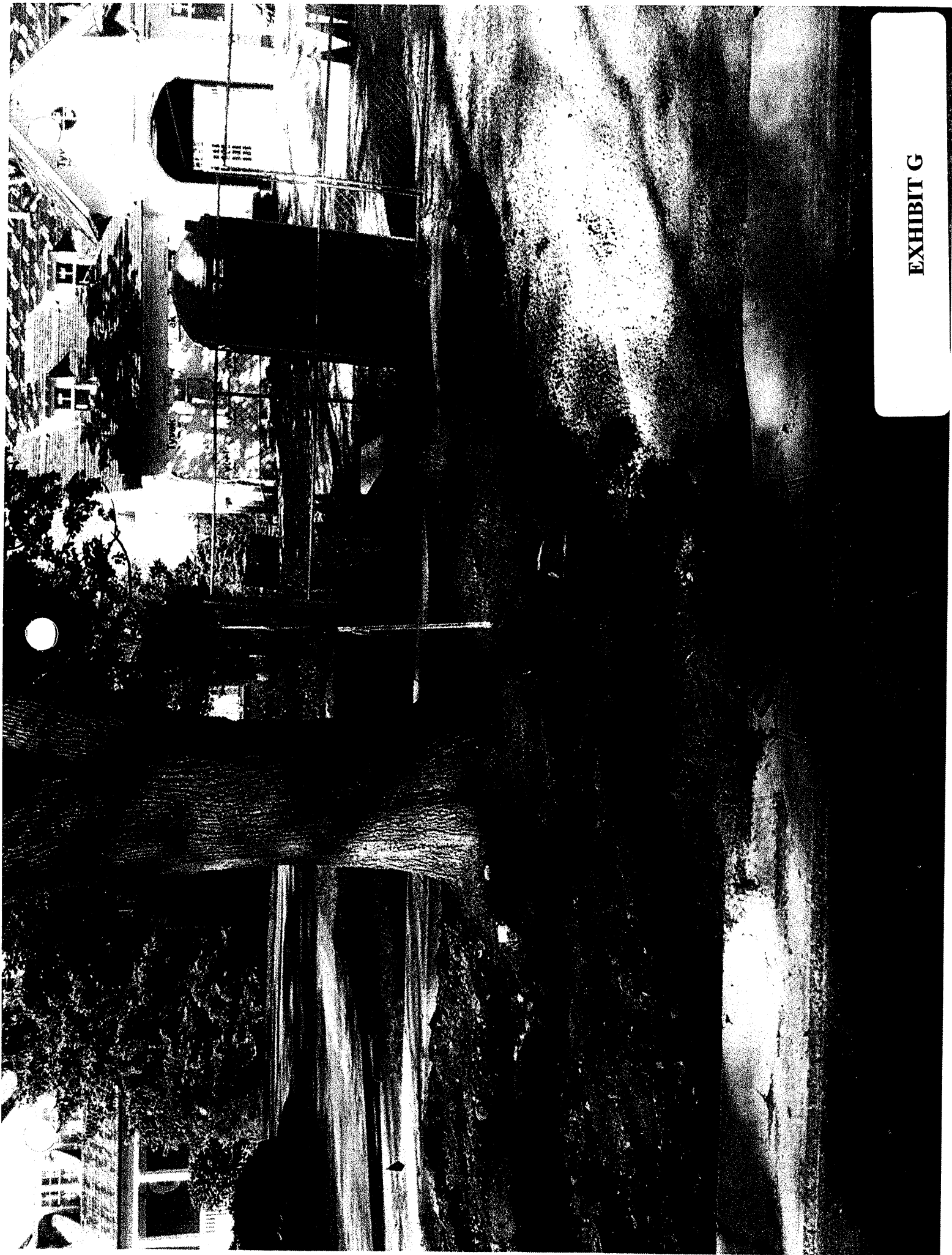
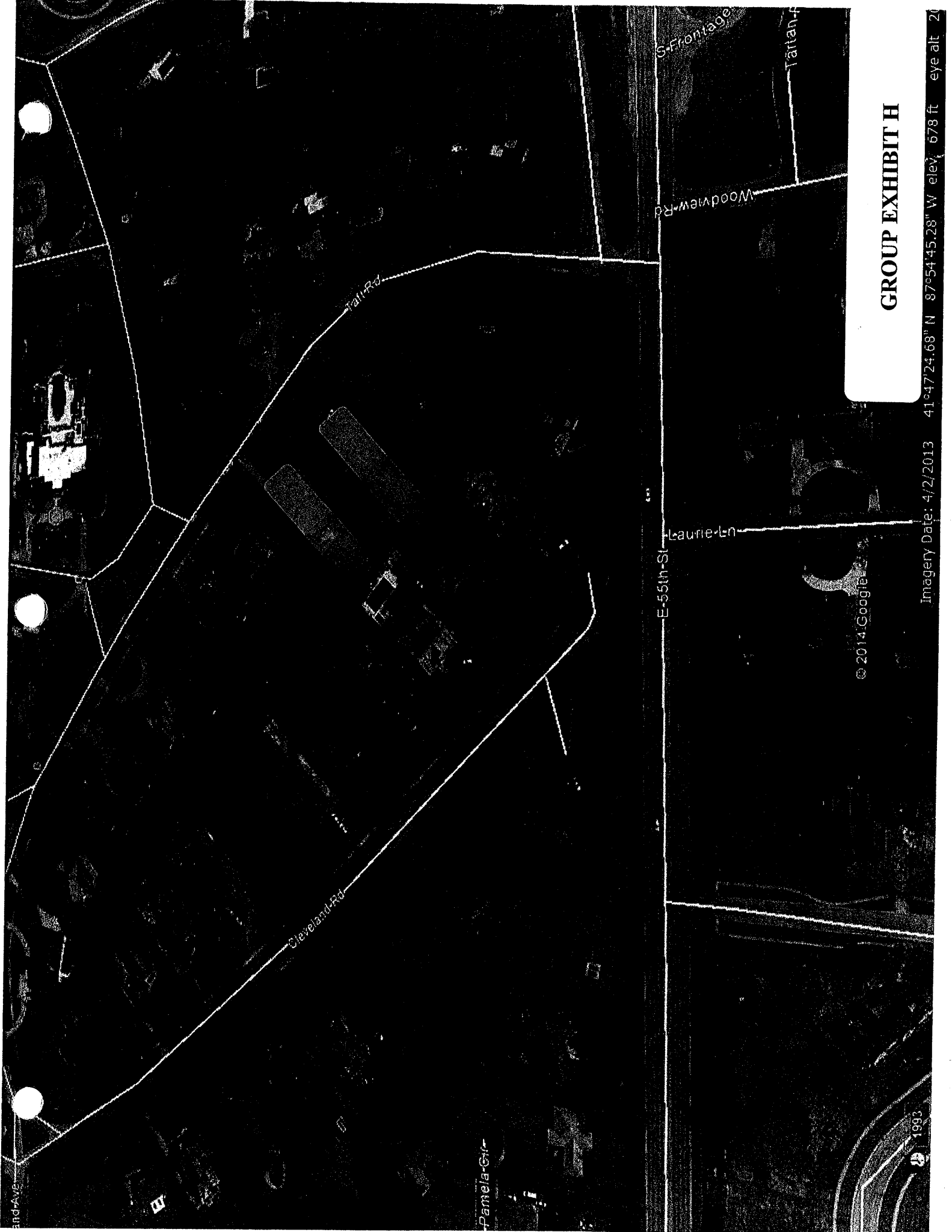


EXHIBIT F2
LESS PREFERRED OPTION #2 -
WITH VARIATION

EXHIBIT G







GROUP EXHIBIT H

© 2014 Google

Imagery Date: 4/2/2013 41°47'24.68" N 87°54'45.28" W elev. 678 ft eye alt. 20

1993

MEMORANDUM

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

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

DATE: September 11, 2014

RE: Zoning Variation – V-07-14; 602 S. Madison

In this application for variation, the applicant requests relief from the corner side yard setback requirement set forth in section 10-105(3)(a)(ii) for the construction of a new detached garage. The code requires that on a non-conforming lot a garage be set back 15' or 30% of the lot width; whichever is greater.

This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the southwest corner of Madison and 6th. The property has a frontage of approximately 34.5', a depth of approximately 125', and a total square footage of approximately 4,312. The maximum allowable FAR is approximately 2,800 square feet; the maximum allowable building coverage is 25% or approximately 1,078 square feet, and the total allowable lot coverage is 50% or 2,156 square feet.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-07-14

Zoning Calendar No. V-07-14

VILLAGE OF HINSDALE
APPLICATION FOR VARIATION

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

VARIATION FILING FEE: \$850.00

NAME OF APPLICANT(S): Blue Sky Builders, Inc.

ADDRESS OF SUBJECT PROPERTY: 602 S. Madison St.

TELEPHONE NUMBER(S): 630 852 8485

If Applicant is not the property owner, Applicant's relationship to the
property owner: Garage Builder

DATE OF APPLICATION: 9/9/14



SECTION I

Please complete the following:

1. Owner. Name, address, and telephone number of owner: Stephen Gnjadecki
602 S. Madison St, Hinsdale 60521 312 404 9791
2. Trustee Disclosure. In the case of a land trust the name, address, and telephone number of all trustees and beneficiaries of the trust: N/A
3. Applicant. Name, address, and telephone number of applicant, if different from owner, and applicant's interest in the subject property: Blue Sky Builders, Inc.
424 Ogden Ave Downers Grove 60515 630 852 8485
Garage Builder
4. Subject Property. Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) 602 S. Madison St
See Attached Surveys for Legal Description
5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:
 - a. Attorney: _____
 - b. Engineer: _____
 - c. _____
 - d. _____

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. _____
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. * See Attached

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.

- 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. * See Attached

- 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

- 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 Supporting Info

- 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 Supporting Info

- 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.

* See Attached Supporting Info

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

Zoning Section 10-105 A (3)(a)(ii) Corner Side
Req. 15' or 30% of lot width, whichever
is greater

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.)

5' corner side setback. Lot is only 34.5' wide
and is too small to allow for a 15' setback for
the proposed 22x20 Detached Garage

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 variation sought is a 10' reduction of the 15' corner
side yard setback, to match the 5' setback of the existing detached
garage.

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

* See Attached Supporting Info

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:

- (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, or 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.)

** See Attached Supporting Info*

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:

JOHN J. GURDICK

Signature of Owner:

X [Signature]

Name of Applicant:

B. H. Gilman - Blue Sky Builders, Inc.

Signature of Applicant:

[Signature]

Date:

9/9/14

0911233019
PETERSON, PAUL & CHERELL
436 S THURLOW ST
HINSDALE, IL 60521

0911233020
MAKSTENIEKS, ERIC & C
440 S THURLOW ST
HINSDALE, IL 60521

0911233021
RIVELLI, TIMOTHY & MARY
533 W 6TH ST
HINSDALE, IL 60521

0911234006
THOMSON, MARK A & LAURIE
427 S THURLOW ST
HINSDALE, IL 60521

0911234007
COUNTS, THOMAS D & SUSAN
433 S THURLOW ST
HINSDALE, IL 60521

0911234008
LATTANZIO, PATRICK & KELLI
437 S THURLOW
HINSDALE, IL 60521

0911234009
KNAPP, KEVIN & KRISTI
441 S THURLOW
HINSDALE, IL 60521

0911234010
PILLER, STEVEN J
445 S THURLOW ST
HINSDALE, IL 60521

0911234018
OLESZKIEWICZ, VINCE & S T
430 S MADISON E
HINSDALE, IL 60521

0911234019
KOFFRON, ALAN & DEANNA
436 S MADISON ST
HINSDALE, IL 60521

0911234020
MANCINI, DOMINIC & JOAN
444 S MADISON ST
HINSDALE, IL 60521

0911406014
PIERCZYNSKI, DANIEL B
530 W 6TH ST
HINSDALE, IL 60521

0911406015
CHARLTON PERRIN, G & D
606 S THURLOW ST
HINSDALE, IL 60521

0911406016
STARR, JASON & KATHLEEN
612 S THURLOW ST
HINSDALE, IL 60521

0911406017
R W DEVELOPMENT INC
4900 PRAIRIE CROSSING
OSWEGO, IL 60543

0911406018
KLOBACH, CHRISTINE L
624 S THURLOW ST
HINSDALE, IL 60521

0911407001
STEIN, JOSEPH & YAEKO
516 W 6TH ST
HINSDALE, IL 60521

0911407002
FOWLER, JAMES PHILLIP
605 S THURLOW ST
HINSDALE, IL 60521

0911407003
SCHMIDT, CHARLES F
611 S THURLOW ST
HINSDALE, IL 60521

0911407004
VICINO, DOUGLAS & JEROMA
617 S THURLOW ST
HINSDALE, IL 60521

0911407005
TATE, JODY A
623 S THURLOW
HINSDALE, IL 60521

0911407013
GNIADCKI, STEPHEN J
811 ESTUARY WAY
DELRAY BEACH, FL 33483

0911407014
SHETYE, RAJAN & GOURI
606 S MADISON ST
HINSDALE, IL 60521

0911407015
BYERS, BRIAN ALLEN TR
608 S MADISON ST
HINSDALE, IL 60521

0911407016
ZHU, SHAOQIANG & L ZENG
612 S MADISON ST
HINSDALE, IL 60521

0911407017
SCOTT, CORDELIA & DALLAS
614 S MADISON ST
HINSDALE, IL 60521

0911407018
COMMUNITY HOUSING ASSOC
531 E ROOSEVELT RD
WHEATON, IL 60187

0911407019
FRANTISAK, AARON
624 S MADISON
HINSDALE, IL 60521

0911407027
FRANTISAK, AARON
624 S MADISON
HINSDALE, IL 60521

0911407029
MOHL, JEFFREY & MARIA
627 S THURLOW ST
HINSDALE, IL 60521

0912104013
LATIMER, LAWRENCE M
443 S MADISON ST
HINSDALE, IL 60521

0912104014
ALAVI, FAZLOLLAH
447 S MADISON ST
HINSDALE, IL 60521

0912104015
YUSUF, SHAHID
96 LIVERY CT
OAK BROOK, IL 60523

0912104016
FU, LAN
425 6TH ST
HINSDALE, IL 60521

0912104024
CARROLL, THOMAS & BIRGIT
450 S CLAY ST
HINSDALE, IL 60521

0912104025
CAMARA, MIGUEL G
454 S CLAY ST
HINSDALE, IL 60521

0912104026
GIANNESCHI, LIDO
392 ST ANDREWS LN
GURNEE, IL 60031

0912300009
SCHOOL DISTRICT 181
6010 S ELM ST
BURR RIDGE, IL 60527

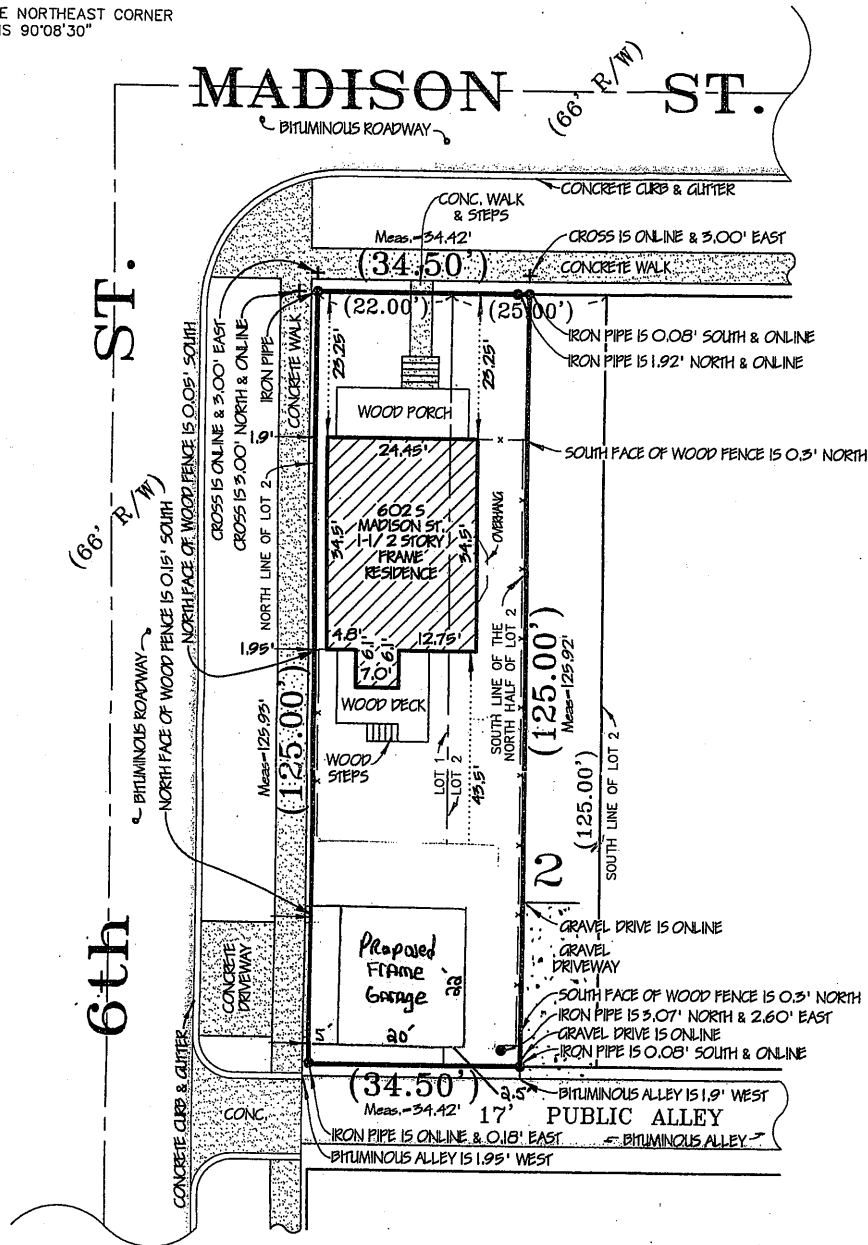
- LEGEND**
- Monumentation Found
 - Monumentation Set (I.R.S. 35-2551)
 - (50') Record Dimension
 - X- Fence Line

PLAT OF SURVEY

LOTS 1 AND THE NORTH HALF OF LOT 2 IN BLOCK 17 IN THE RESUBDIVISION OF BLOCKS 9 TO 20 IN STOUGH'S SECOND ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED SEPTEMBER 12, 1874 AS DOCUMENT 18723, IN DU PAGE COUNTY, ILLINOIS.

AREA OF SITE=4,334 SQ.FT.

ANGLE ON THE NORTHEAST CORNER OF THE SITE IS 90°08'30"



CARRADUS



NOTES

1. All distances shown hereon are in feet and decimal parts thereof corrected to 68° f. Distances shown along curved lines are Arc Measurements unless otherwise noted.
2. Compare the Legal Description, Building Lines, and Easements as shown hereon with your Deed, Title Insurance Policy or Title Commitment.
3. Consult local authorities for additional setbacks and restrictions not shown hereon.
4. Compare all survey points and report any discrepancies immediately.
5. Consult utility companies and municipalities prior to the start of any construction.
6. Dimensions to and along buildings are exterior foundation measurements.
7. Do Not Assume distances from scaled measurements made hereon.

STATE OF ILLINOIS)
COUNTY OF DU PAGE) SS

THIS IS TO CERTIFY THAT I, ALLEN D. CARRADUS, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF ILLINOIS, HAVE SURVEYED THE PROPERTY AS DESCRIBED HEREON AND THAT THE ANNEXED PLAT IS A CORRECT AND TRUE REPRESENTATION THEREOF, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SIGNED AND SEALED AT WHEATON, ILLINOIS THIS 12th DAY OF September, A.D. 2012
BY Allen D. Carradus ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551.
MY LICENSE EXPIRES NOVEMBER 30, 2012.

ALLEN D. CARRADUS LAND SURVEYOR

Residential & Commercial Land Surveying Services
108 W. Liberty Drive, Wheaton, Illinois 60187
(630) 588-0416 (Fax) 653-7682

PREPARED FOR: **DOMINIC J. MANCINI, ATTORNEY**

DRAWN BY: CMG DATE OF FIELD WORK: 09/12/12 SCALE: 1" = 20' FLD. BK. - PAGE: 48-00 PROJECT NO: 6136

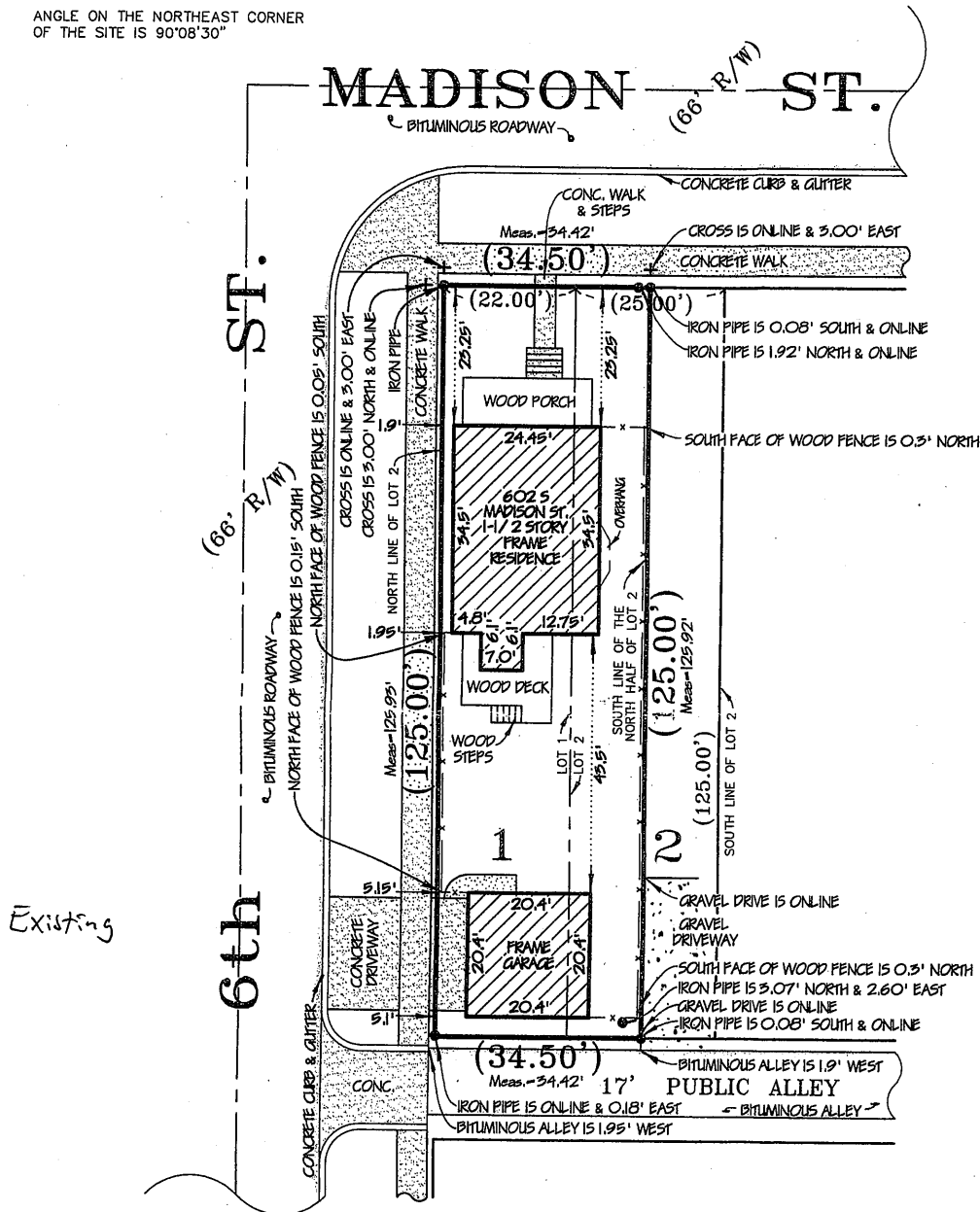
LEGEND
 • Monumentation Found
 ○ Monumentation Set
 (RLS 35-2531)
 (50') Record Dimension
 -X- Fence Line

PLAT OF SURVEY

LOTS 1 AND THE NORTH HALF OF LOT 2 IN BLOCK 17 IN THE RESUBDIVISION OF BLOCKS 9 TO 20 IN STOUGH'S SECOND ADDITION TO THE TOWN OF HINSDALE, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 11, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED SEPTEMBER 12, 1874 AS DOCUMENT 18723, IN DU PAGE COUNTY, ILLINOIS.

AREA OF SITE=4,334 SQ.FT.

ANGLE ON THE NORTHEAST CORNER
OF THE SITE IS 90°08'30"



Existing

CARRADUS



STATE OF ILLINOIS) SS
COUNTY OF DU PAGE)

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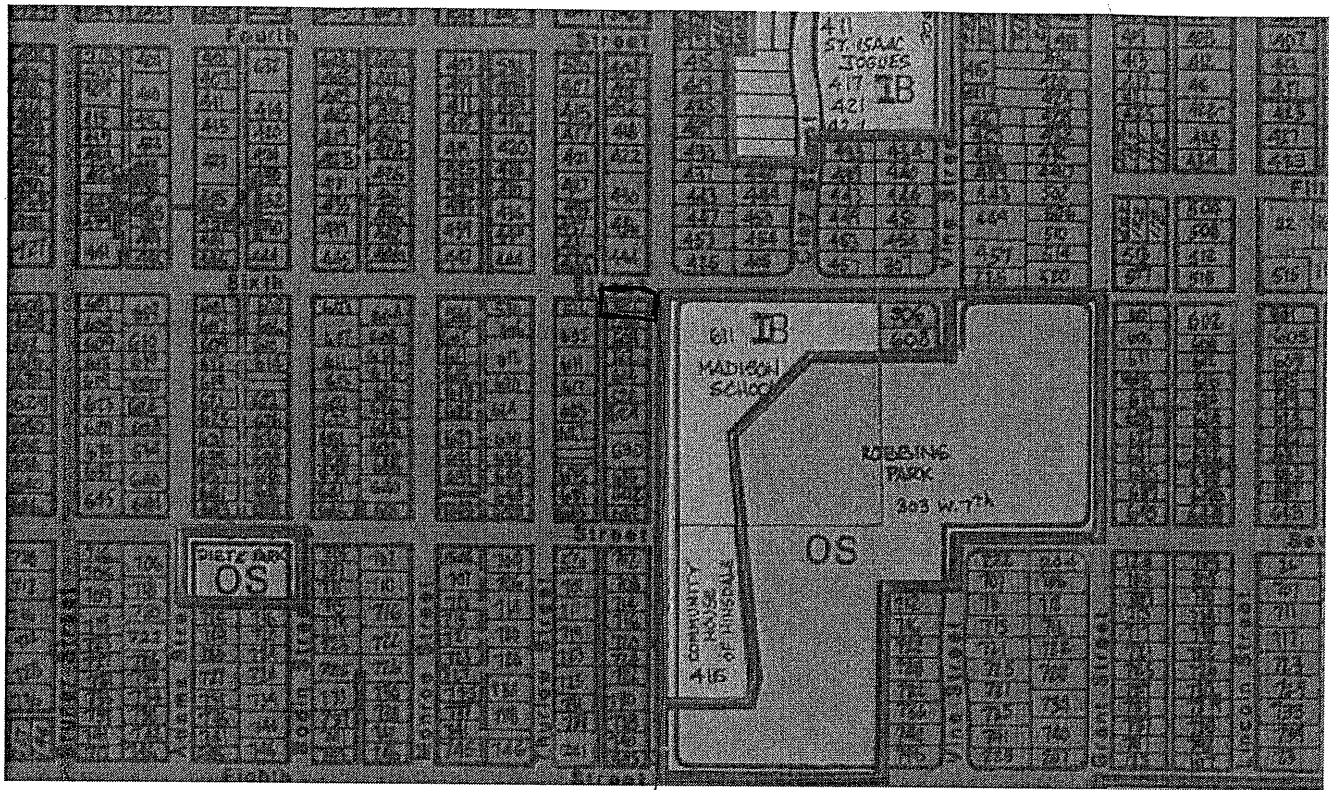
SIGNED AND SEALED AT WHEATON, ILLINOIS THIS 12th DAY OF September A.D. 2012
 BY *Allen D. Carradus* ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 35-2551.
 MY LICENSE EXPIRES NOVEMBER 30, 2012.

NOTES

1. All distances shown hereon are in feet and decimal parts thereof corrected to 68° f. Distances shown along curved lines are Arc Measurements unless otherwise noted.
2. Compare the Legal Description, Building Lines, and Easements as shown hereon with your Deed, Title Insurance Policy or Title Commitment.
3. Consult local authorities for additional setbacks and restrictions not shown hereon.
4. Compare all survey points and report any discrepancies immediately.
5. Consult utility companies and municipalities prior to the start of any construction.
6. Dimensions to and along buildings are exterior foundation measurements.
7. Do Not Assume distances from scaled measurements made hereon.

ALLEN D. CARRADUS LAND SURVEYOR	
Residential & Commercial Land Surveying Services	
108 W. Liberty Drive, Wheaton, Illinois 60187	
(630) 588-0416 (Fax) 653-7682	
PREPARED FOR:	DOMINIC J. MANCINI, ATTORNEY
DRAWN BY:	CMG
DATE OF FIELD WORK:	09/12/12
SCALE:	1" = 20'
PLD.BK. - PAGE	48-00
PROJECT NO.	6136

Existing Zoning



→ 602 S. Madison St - RY Zoning

Madison School to East - IB zoning



Supporting Information for Variation Request

602 S Madison Street

10. Conformity – The requested variation is for reduction of the 15' corner side yard setback for the proposed detached garage to 5'. The existing zoning for residences in this area is R-4. The lot size, at 34.5', is too small to accommodate the proposed garage and still adhere to the required corner side yard setback. In the surrounding 250', lot sizes vary, but there are none as narrow as this property. In addition, the existing house is set back only 1.9' from the same lot line.
11. Zoning Standards – Other than the request variation for the corner side yard setback, all other zoning standards can be met.
12. Successive Application – This is the first time this request for variation is being made.

Section II

5. Standards for Variation – The subject property is only 34.5' wide. It is too small to accommodate the proposed detached garage and still adhere to the required corner side yard setback.
 - a. Unique Physical Condition - The subject property is exceptional in that it is the only one in the immediate vicinity of 250' that is quite so narrow. In fact, paying particular attention to corner lots but also searching through regular non corner lots, not one as narrow could be found within even a 4-5 block radius.
 - b. Not Self Created - This 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, in this case, a standard 2 car garage.
 - d. Not Merely Special Privilege – The alleged hardship or difficulty is not merely the inability of the owner to enjoy some special privilege or additional right not available to owners 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 unauthorized 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 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 danger of flood; 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. The existing 20x20 garage is set currently set back 5.1' from the same north lot line that the zoning code states must be 15' for a new garage. We are merely proposing to put the new garage back in the same starting location as the existing. The new garage will be 22x20, which is the same depth but 2' wider than the existing. This also means that the rear of the garage will be at the same location as the rear of the existing garage, lining up with the house setback from the south lot line. When completed, the subject property will have the same characteristics as it currently does with regards to setbacks.

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 1ST INSTALLMENT PAYMENT OF **2013 TAX**

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-11-407-013

GNIADDECKI, STEPHEN J
811 ESTUARY WAY
DELRAY BEACH FL 33483

1

ON OR BEFORE:	PAY:
JUNE 3, 2014	2,417.57
PAYING LATE?	PAY THIS AMOUNT:
JUN 4 THRU 30	2,453.83
JUL 1 THRU 31	2,490.10
AUG 1 THRU 31	2,526.36
SEP 1 THRU 30	2,562.62
OCT 1 THRU 31	2,598.89
NOV 1 THRU 19	2,635.15

U.S. POSTMARK IS USED TO DETERMINE LATE PENALTY.

PAYMENT OF THIS 2013 TAX BILL AFTER OCTOBER 31, 2014, REQUIRES A CASHIER'S CHECK, CASH OR MONEY ORDER.

☐ MARK IF CHANGE OF NAME/ADDRESS

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 19, 2014

\$2,417.57 PAID MAY 27, 2014

MAKE CHECK PAYABLE TO: DU PAGE COUNTY COLLECTOR - SEND THIS COUPON WITH YOUR 2ND INSTALLMENT PAYMENT OF **2013 TAX**

MAIL PAYMENT TO: P.O. BOX 4203, CAROL STREAM, IL 60197-4203

PAY ON-LINE AT: treasurer.dupageco.org

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

*** DUPLICATE BILL ***

09-11-407-013

GNIADDECKI, STEPHEN J
811 ESTUARY WAY
DELRAY BEACH FL 33483

2

ON OR BEFORE:	PAY:
SEPT 3, 2014	2,417.57
PAYING LATE?	PAY THIS AMOUNT:
SEP 4 THRU 30	2,453.83
OCT 1 THRU 31	2,490.10
NOV 1 THRU 19	2,536.36 *

U.S. POSTMARK IS USED TO DETERMINE LATE PENALTY.

PAYMENT OF THIS 2013 TAX BILL AFTER OCTOBER 31, 2014, REQUIRES A CASHIER'S CHECK, CASH OR MONEY ORDER.

☐ MARK IF CHANGE OF NAME/ADDRESS

NO PAYMENT WILL BE ACCEPTED AFTER NOV. 19, 2014

2091140701309059000024175742

Rate 2012	Tax 2012	Taxing District	Rate 2013	Tax 2013
		** COUNTY **		
.1160	95.44	COUNTY OF DU PAGE	.1226	103.57
.0250	20.57	PENSION FUND	.0265	22.38
.0382	31.43	COUNTY HEALTH DEPT	.0396	33.45
.0137	11.27	PENSION FUND	.0153	12.92
.1432	117.82	FOREST PRESERVE DIST	.1533	129.50
.0110	9.05	PENSION FUND	.0124	10.47
.0168	13.82	DU PAGE AIRPORT AUTH	.0178	15.03
		** LOCAL **		
NO LEVY		DU PAGE WATER COMM	NO LEVY	
.0322	26.49	DOWNERS GROVE TWP	.0340	28.72
.0021	1.72	PENSION FUND	.0028	2.36
.0511	42.04	DOWNERS GR TWP RD	.0534	45.11
.0001	.08	PENSION FUND	.0015	1.26
.2384	196.15	VLG OF HINSDALE	.2472	208.83
.1378	113.38	PENSION FUND	.1463	123.59
.1546	127.20	VLG HINSDALE LIBRARY	.1628	137.53
.0149	12.25	PENSION FUND	.0148	12.50
NO LEVY		FLAGG CRK WATER REC	NO LEVY	
		** EDUCATION **		
2.6253	2,160.09	GRADE SCHL DIST 181	2.7356	2,311.03
.0712	58.58	PENSION FUND	.0738	62.34
1.4604	1,201.61	HIGH SCHOOL DIST 86	1.5284	1,291.19
.0380	31.26	PENSION FUND	.0397	33.53
.2681	220.69	COLLEGE DU PAGE 502	.2956	249.83
5.4581	4,490.94	TOTAL	5.7234	4,835.14

Mail To:

GNIADDECKI, STEPHEN J
811 ESTUARY WAY
DELRAY BEACH FL 33483

Property Location:

602 S MADISON ST
HINSDALE, 60521

Township:

DOWNERS GROVE
630-719-6630

Tax Code:

9059

Property Index Number:

09-11-407-013

Back Taxes: NO

TIF Frozen Value	
Fair Cash Value	253,500
Land Value	34,510
+ Building Value	49,970
= Assessed Value	84,480*
x State Multiplier	1.0000
= Equalized Value	84,480
- Residential Exemption	
- Senior Exemption	
- Senior Freeze	
- Disabled Veteran	
- Disability Exemption	
- Returning Veteran Exemption	
- Home Improvement Exemption	
- Housing Abatement	
= Net Taxable Value	84,480
x Tax Rate	5.7234
= Total Tax Due	4,835.14

CHANGE OF NAME/ADDRESS:
COUNTY CLERK 630-407-5540

* S OF A FACTOR .95690

1st INST PAID MAY 27, 2014

2nd INST DUE ON SEPT 3, 2014



2013 DuPage County Real Estate Tax Bill
Gwen Henry, CPA, County Collector
421 N. County Farm Road
Wheaton, IL 60187

Office Hours - 8:00 am-4:30 pm, Mon-Fri
Telephone - (630) 407-5900

2012 \$88,280 Assessed Value 2013 \$84,480

8. PRE-HEARING AND AGENDA SETTING

a) V-07-14, 602 S. Madison

Mr. Bill Gilman, of Blue Sky Builders, Inc., addressed the Board. He explained that his customer has a two car garage and would like to build another. The lot is only 34' wide and a new garage relocated according to the Zoning Code, would take up a good deal of the yard. They would like to put the new garage in exactly the same place as the existing garage. The new garage would be 2' wider than the old one, but would not affect the next door neighbor. Member Connelly suggested Mr. Gilman speak to the neighbors for their support. Member Podliska asked if the height of the new garage would be the same, to which Mr. Gilman replied at 14.6' the new one would be slightly taller. Director of community Development Robb McGinnis confirmed that the maximum allowable height for a garage is 15'. The hearing was set for October 15, 2014.

9. NEW BUSINESS – None

10. UNFINISHED BUSINESS – None

11. ADJOURNMENT

With no further business before the Zoning Board of Appeals, Member Moberly made a motion to **adjourn the meeting of the Zoning Board of Appeals of September 17, 2014.** Member Connelly seconded the motion.

AYES: Members Connelly, Moberly, Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Biggert and Engel

Motion carried.

Vice-Chairman Giltner declared the meeting adjourned at 6:53 p.m.

Christine M. Bruton
Village Clerk

Approved: _____