

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

1. CALL TO ORDER

Chairman Bob Neiman called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, December 17, 2014 at 6:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. ROLL CALL

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

Absent: Members Kathryn Engel 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

Member Moberly moved to approve the minutes of the meeting of April 16, 2014, as presented. Member Biggert seconded the motion.

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

NAYS: None

ABSTAIN: None

ABSENT: Members Engel and Podliska

Motion carried.

b) November 19, 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.

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. PRE-HEARING AND AGENDA SETTING

a) V-08-14, 4 North Oak Street

Mr. Brent Sherman, homeowner, addressed the Board. He explained that

1 he wants to construct an addition to his home that would have included a
2 garage to the north of the property. However, because of the Oak Street
3 Bridge project, the grade of the street will be raised by 3' feet and would
4 create too steep a slope for the driveway. He considered a new driveway
5 on Chicago Avenue, but the slope is still too severe. After discussions with
6 staff, the solution is to keep the garage where it is, but he wants a two-car
7 not a one-car garage, and therefore is requesting 4.45' feet of relief from
8 the block average. Mr. McGinnis added that the context in this case is the
9 Oak Street Bridge project. The new bridge will be 4' feet higher and the
10 street will need to be re-graded. Mr. Sherman said IDOT is negotiating for
11 easement on his property, which will result in it being torn up, but confirmed
12 it is only a temporary easement. It was also confirmed that this variance is
13 only required because of the bridge project. Chairman Neiman asked the
14 applicant to address more completely the seven criteria necessary for
15 Zoning Board approval.

16 Chairman Neiman set the Public Hearing for January 21, 2015.

17
18 **b) V-09-14, 312 Phillippa Street**

19 Mr. Matt Klein, attorney for the applicant and Ms. Amy Doung Kim
20 addressed the Board. Mr. Klein explained the existing one-car garage on
21 this property is a pre-code structure. It was built in 1951, and
22 unfortunately, does not meet the 1950 exemption. He stated FAR and lot
23 coverage are compliant, but building coverage relief is necessary. He
24 noted that the ZBA will only make a recommendation, the Village Board will
25 grant final approval.

26 Mr. McGinnis stated the applicant is asking for 224' square feet of relief.
27 Ms. Kim said the neighbors have been nice, and this proposal does not
28 change anything for the neighbor to the north. She is not aware of any
29 water or drainage issues.

30 Chairman Neiman set the Public Hearing for January 21, 2015.

31
32 **8. PUBLIC HEARINGS**

33 **a) V-10-14, 10 Salt Creek Lane**

34 Chairman Neiman introduced the matter and stated that the request has
35 been withdrawn by the applicant. Mr. McGinnis explained the developer
36 was under the impression that because the property line extends to the
37 center line of street, they needed to include street pavement in their
38 calculations. However, staff found Village Code §12-2-6 which states that
39 lot area total definition excludes egress pavement. As a result, the
40 applicant was able to adjust the site plan to get below the 50% requirement
41 and therefore no longer needs a variance.

42
43 **9. NEW BUSINESS – None**

44
45 **10. OTHER BUSINESS – None**

1
2 **11. ADJOURNMENT**

3 With no further business before the Zoning Board of Appeals, Member Moberly
4 made a motion to **adjourn the meeting of the Zoning Board of Appeals of**
5 **December 17, 2014.** Member Connelly seconded the motion.
6

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

8 **NAYS:** None

9 **ABSTAIN:** None

10 **ABSENT:** Members Engel and Podliska

11
12 Motion carried.

13
14 Chairman Neiman declared the meeting adjourned at 6:51p.m.
15

16
17 _____
18 Christine M. Bruton
19 Village Clerk
20
21
22
23
24
25

Approved: _____

**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE SPECIAL MEETING
January 22, 2015**

1. CALL TO ORDER

Chairman Bob Neiman called the specially scheduled meeting of the Zoning Board of Appeals to order on Thursday, January 22, 2015 at 6:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. ROLL CALL

Present: Chairman Bob Neiman, Members, Gary Moberly, Keith Giltner, Kathryn Engel and John Podliska

Absent: Members Marc Connelly and Rody Biggert

Also Present: Director of Community Development/Building Commissioner Robb McGinnis

3. APPROVAL OF MINUTES

a) November 19, 2014

Member Engel moved to approve the minutes of the meeting of November 19, 2014, as presented. Member Podliska seconded the motion.

AYES: Members Giltner, Engel and Podliska and Chairman Neiman

NAYS: None

ABSTAIN: Member Moberly

ABSENT: Members Connelly and Biggert

Motion carried.

b) December 17, 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.

4. APPROVAL OF FINAL DECISION – None

5. RECEIPT OF APPEARANCES

All persons intending to speak were sworn in by the court reporter.

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

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

2 a) **V-01-15, 321 East Ninth Street**

3 Mr. Paul Poloz, architect on the project, addressed the Board. He
4 explained that his client received a permit to build, but because of a
5 miscommunication between the contractor and the Deputy Building
6 Commissioner the project was stopped. Too much (of the existing
7 structure) was demolished and the setbacks are now an issue. Mr.
8 McGinnis explained that more than 50% of the walls were removed which
9 by definition is a demolition. Therefore, the owner loses their right to
10 maintain existing non-conformities.

11 Mr. Poloz explained that they intend to build it back the same way it was.
12 They disassembled the walls and intended to put them back in the same
13 place, but work was stopped by the Village. The heights and square
14 footage are the same, he is asking that his client be allowed to build exactly
15 the same house with existing setbacks.

16 Chairman Neiman asked him to explain the miscommunication, to which he
17 replied that he thought they had permission to do what they did. Chairman
18 Neiman suggested that the Deputy Building Commissioner be present at
19 the Public Hearing and he encouraged the applicant to be prepared to
20 explain why this request for variation isn't self-created.

21
22 **8. PUBLIC HEARINGS**

23 a) **V-08-14, 4 North Oak Street**

24 Mr. Brent Sherman, homeowner, addressed the Board and explained that
25 he had a two-car garage planned as part of an addition to his home.
26 However, due to the Oak Street Bridge project, the grade of the road in
27 front of his house is being raised about 3' feet so can no longer put the
28 garage on the north side of his property as he intended. In order to put the
29 garage on the south side of the property he needs a variance from the front
30 yard setback. He reported no feedback from neighbors. Chairman Neiman
31 walked the applicant thru the criteria necessary for approval, noting that
32 this is certainly not self-created. Mr. Sherman added that the existing
33 garage is a one-car with a storage area, but needs about two feet more to
34 fit a second car in the structure.

35 Member Engel moved to close the public hearing on V-08-14, 4 North
36 Oak Street. Member Podliska seconded the motion.

37
38 **AYES:** Members Moberly, Giltner, Engel and Podliska and Chairman
39 Neiman

40 **NAYS:** None

41 **ABSTAIN:** None

42 **ABSENT:** Members Connelly and Biggert

43
44 Motion carried.
45

DELIBERATION

Member Giltner said the hardship is that the owner has to deal with Oak Street Bridge project thru no fault of their own and the variance would not have been required otherwise. Member Podliska agrees and although the garage will be slightly larger, doesn't see that as a reason not to approve. Member Moberly moved to **approve the variation request known as V-08-14, 4 North Oak Street.** Member Podliska seconded the motion.

AYES: Members Moberly, Giltner, Engel and Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Biggert

Motion carried.

b) **V-09-14, 312 Phillippa Street**

Mr. Matthew Klein, attorney for owners Howard and Amy Kim, addressed the Board. He explained that if the house and garage which was permitted in May 1950, had been permitted a few months earlier, no variation would be required. Mr. Klein stated the Kim's have spoken with the neighbors and he provided letters of support from the three adjacent neighbors to the Board. Ordinance revisions have added the concept of Floor Area Ratio (FAR) to which this home/garage proposal is compliant. Due to storm drainage requirements the Village added a lot coverage requirement, to which the proposed garage complies with lot coverage of less than 60%. However, the proposed garage does not comply with building coverage requirements. He suggested that a two-car garage is consistent with quality of life expectations and the hardship comes from the changes in the ordinance in 1950. He asked for the Board's recommendation to the Village Board. Chairman Neiman noted the criteria for approval is well spelled out in the application. Member Engel asked if the lots on either side of the subject property have two-car garages. Mr. Klein said most do, but there are still some one-car garages in the area. He also noted that many of the homes in the area have been torn down. Member Podliska moved to **close the public hearing for the matter know as V-09-14, 312 Phillippa Street.** Member Moberly seconded the motion.

AYES: Members Moberly, Giltner, Engel and Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Biggert

Motion carried.

DELIBERATION

The Board agrees the criteria for approval of a variation has been met by the applicant. Member Podliska moved to **recommend to the Village Board of Trustees that the variation know as V-09-14, 312 Phillippa Street be approved.** Member Moberly seconded the motion.

AYES: Members Moberly. Giltner, Engel and Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Biggert

Motion carried.

9. NEW BUSINESS – None

10. OTHER 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 December 17, 2014.** Member Connelly seconded the motion.

AYES: Members Moberly. Giltner, Engel and Podliska and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly and Biggert

Motion carried.

Chairman Neiman declared the meeting adjourned at 7:00 p.m.

Christine M. Bruton
Village Clerk

Approved: _____

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

Zoning Calendar: V-08-14

Petitioner: Brent Sherman

Meeting held: Public Hearing was held on Thursday January 22, 2014 at 6:30 p.m. in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on December 24, 2014.

Premises Affected: Subject Property is commonly known as 4 N. Oak, Hinsdale, Illinois and is legally described as:

THE SOUTH 130 FEET OF THE EAST 60 FEET OF THAT PART OF BLOCK 10 LYING WEST OF OAK STREET (EXCEPT THAT PART CONVEYED TO THE CHICAGO, BURLINGTON AND QUINCY RAILROAD), ALL IN ALFRED WALKER'S ADDITION TO HINSDALE, IN THE SOUTHEAST ¼ OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS

Subject: In this application for variation, the applicant requests relief from the front yard setback requirement set forth in section 3-110(D)(1) for the construction of an addition. The request is for 4.45' of relief.

Facts: This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the northwest corner of Chicago Ave. and Oak Street. The property has a frontage of approximately 60', a depth of approximately 130', and a total square footage of approximately 7,800. The maximum allowable FAR is approximately 3,050 square feet; the maximum allowable building coverage is 25% or approximately 1,950 square feet, and the total allowable lot coverage is 50% or 3,900 square feet.

Action of the Board: Members discussed the request and agreed that the standards for variation set forth in 11-503 (F) of the Hinsdale Zoning Code had been met and recommended approval. Several members commented that the Oak Street Bridge project was the overarching driver behind this

request and that the variation would not have been necessary otherwise.

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

AYES: Members, Moberly, Giltner, Engel, Podliska, and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly, Biggert

THE HINSDALE ZONING BOARD OF APPEALS

Chairman Robert Neiman

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

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

Zoning Calendar: V-09-14

Petitioner: Amy Duong Kim

Meeting held: Public Hearing was held on Thursday January 22, 2014 at 6:30 p.m. in Memorial Hall, in the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois, pursuant to a notice published in The Hinsdalean on November 27, 2014.

Premises Affected: Subject Property is commonly known as 312 Phillippa Street, Hinsdale, Illinois and is legally described as:

LOT 18 IN BLOCK 3 IN THE SUBDIVISION OF THAT PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 6, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE CHICAGO, BURLINGTON AND QUICNY RAILROAD, (EXCEPT THE NORTH 241.58 FEET) IN COOK COUNTY ILLINOIS

Subject: In this application for variation, the applicant requests relief from the maximum building coverage requirement set forth in section 3-110(F) for the construction of a detached two car garage. The request is for 224 square feet of relief.

Facts: This property is located in the R-4 Residential District in the Village of Hinsdale and is located on the west side of Phillippa Street between Ravine and Hickory. The property has a frontage of approximately 51', a depth of approximately 131.75', and a total square footage of approximately 6,725. The maximum allowable FAR is 2,800 square feet; the maximum allowable building coverage is 25% or approximately 1,681 square feet, and the total allowable lot coverage is 60% or approximately 4,035 square feet.

This request will move on to the Board of Trustees as a recommendation as the Zoning Board of Appeals does not have final authority on this request per 11-503E.

Action of the Board: Members discussed the request and agreed that the standards for variation set forth in 11-503 (F) of the

Hinsdale Zoning Code had been met and recommended approval.

A motion to recommend approval to the Village Board of Trustees was made by Member Podliska and seconded by Member Moberly.

AYES: Members, Moberly, Giltner, Engel, Podliska, and Chairman Neiman

NAYS: None

ABSTAIN: None

ABSENT: Members Connelly, Biggert

THE HINSDALE ZONING BOARD OF APPEALS

Chairman Robert Neiman

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

8a

MEMORANDUM

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

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

DATE: January 14, 2015

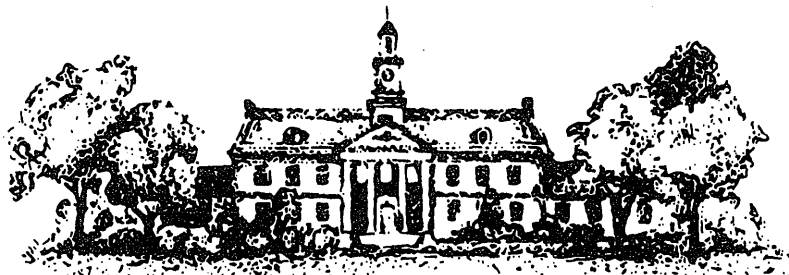
RE: Zoning Variation – V-01-15; 321 E. 9th Street

In this application for variation, the applicant requests relief from the interior sideyard setback requirements set forth in section 3-110-D2(b) for the reconstruction of a single family home. The applicant is requesting a .66' reduction in the minimum interior sideyard setback from 11' to 10.34' and a 8.57' reduction in the minimum total sideyard setback from 30' to 21.43'.

It should be noted that this request is being driven by the fact that the applicant removed too much of the original structure during construction thereby "demolishing" the structure by definition. Given that the structure originally had a non-conforming minimum interior sideyard setback, as well as a non-conforming total sideyard setback, any rights to maintain this non-conformity were lost once the structure was "demolished". A copy of the letter sent to the property owner on December 18, 2014 is attached for your reference.

This property is located in the R-1 Residential District in the Village of Hinsdale and is located on the north side of 9th Street between Elm and Oak. The property has a frontage of approximately 100', a depth of approximately 199.91', and a total square footage of approximately 19,991. The maximum allowable FAR is 5,997 square feet; the maximum allowable building coverage is 25% or approximately 4,997 square feet, and the total allowable lot coverage is 50% or approximately 9,995 square feet.

cc: Kathleen A. Gargano, Village Manager
Zoning file V-01-15



VILLAGE OF HINSDALE

FOUNDED IN 1873

19 EAST CHICAGO AVENUE
HINSDALE, ILLINOIS 60521-3489 • (630) 789-7000
Village Website: <http://www.villageofhinsdale.org>

POLICE DEPARTMENT 789-7070
FIRE DEPARTMENT 789-7060
121 SYMONDS DRIVE

VILLAGE PRESIDENT
Tom Cauley

TRUSTEES
J. Kimberley Angelo
Christopher J. Elder
William N. Haarlow
Gerald J. Hughes
Laura LaPlaca
Bob Saigh

December 18, 2014

Mr. Tomas Maciulis
7106 Washington Street
Darien, IL 60561

RE: 321 East Ninth Street – Stop Work Order

Dear Mr. Maciulis:

A Stop Work Order has been placed on the aforementioned address for failure to comply with the approved plans. The approved plans indicate that the first floor walls and floor joists are to remain in place during the construction.

On Wednesday, December 17, 2014 it came to our attention that all the first floor walls and floor joists were removed. Not only has this removal of the walls and joists gone beyond the scope of approved work, it has also rendered the building to be deemed 'demolished' in that more than 50% of the exterior walls have been removed. By demolishing the building, all rights afforded to maintain nonconforming setbacks are relinquished under section 10-104C(1) of the zoning code. Any reconstruction of the structure shall meet the applicable district regulations.

Prior to demolition, the existing structure had a nonconforming interior side yard setback of 10.34' and a nonconforming combination side yard setback of 21.43'. The minimum required side yard setback is 11.0' and the minimum combination side yard setback is 30.0'.

In order to remove the Stop Work Order; new civil drawings with code compliant side yard and combination side yard setbacks, new architectural drawings, a tree preservation plan, and a completed abutting neighbor contact form is to be submitted. If you choose not to provide the aforementioned items, you may apply for a variation of the required side yard and combination side yard from the Zoning Board of Appeals (ZBA). The process takes approximately four months and there is a fee for said variation request. Please be advised that there is no guarantee that a variation will be granted.

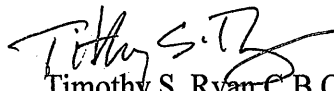
No work shall continue at the subject property until the Stop Work Order is removed by one of the two methods described above. Please contact our office at 630-789-7030 regarding how you plan to resolve this issue.



Failure to heed the Stop Work Order for the subject property will result in the issuance of citations requiring a court appearance.

If you have any questions regarding this letter, please feel free to contact this office at (630) 789-7030 or email tryan@villageofhinsdale.org

Respectfully,

A handwritten signature in black ink, appearing to read "Timothy S. Ryan", written over the printed name.

Timothy S. Ryan C.B.O.
Deputy Building Commissioner
Village of Hinsdale

7a

Zoning Calendar No. V-01-15

VILLAGE OF HINSDALE
APPLICATION FOR VARIATION

COMPLETE APPLICATION CONSISTS OF (10) COPIES (All materials to be collated)
FILING FEES: \$850.00

NAME OF APPLICANT(S): TOM MACIULIS

ADDRESS OF SUBJECT PROPERTY: 321 E 9TH STREET

TELEPHONE NUMBER(S): [REDACTED]

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

DATE OF APPLICATION: _____



RECEIVED
CB 1/14/15

SECTION I

Please complete the following:

1. Owner. Name, address, and telephone number of owner: TOM MACIULIS
Tel: [REDACTED] 7106 WASHINGTON ST. DARIEN, IL
60561
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: TOM MACIULIS
7106 WASHINGTON ST. DARIEN IL 60561
TEL: [REDACTED]
4. Subject Property. Address and legal description of the subject property: (Use separate sheet for legal description if necessary.) 321 E. 9TH STREET, HINSDALE, IL
THE EAST 1/3 OF THE SOUTH 1/3 OF THE WEST 1/2 OF THE NORTHWEST QUARTER 1/4
OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 (EXCEPT THEREFROM THAT PORTION
TAKEN FOR STREETS) OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE
THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS
5. Consultants. Name and address of each professional consultant advising applicant with respect to this application:
 - a. Attorney: _____
 - b. Engineer: _____
 - c. ARCHITECT: POLOZ & MAKRI'S ARCHITECTS, LTD.
 - 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.

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.
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.
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.
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.
12. Successive Application. In the case of any application being filed less than two years after the denial of an application seeking essentially the same relief, submit with this application a statement as required by Sections 11-501 and 11-601 of the Hinsdale Zoning Code.

SECTION II

When applying for a variation from the provisions of the Zoning Ordinance, you must provide the data and information required above, and in addition, the following:

1. Title. Evidence of title or other interest you have in the Subject Project, date of acquisition of such interest, and the specific nature of such interest.
2. Ordinance Provision. The specific provisions of the Zoning Ordinance from which a variation is sought:
THE UNIQUE PHYSICAL CONDITIONS OF EXIST. 2-STORY RESIDENTIAL
PROPERTY WITH NONCONFORMING SIDE YARD SETBACKS, AND EXISTED
AT THE TIME OF THE ENACTMENT OF THE PROVISIONS FROM WHICH A
VARIATION IS SOUGHT.
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 EXISTING PROPERTY WAS BUILT IN 1986 WITH SIDE SETBACK OF 10'-4"
ON EAST SIDE, AND 11'-1" ON WEST SIDE. THE PROPOSED REHAB OF THIS
PROPERTY IS NOT REDUCING OR INCREASING COVERAGE OF SIDE YARDS,
AND WILL NOT MAKE ANY DISIMPROVEMENT FOR THE ADJACENT PROPERTIES.
HOWEVER IT WILL WORK AS PRACTICAL & REASONABLE HOME REHAB
FOR THE FAMILY MEMBERS.
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.)
THIS VARIANCE OF EXIST. SIDE SETBACKS WILL NOT ALTER ANYTHING
OF THE ESSENTIAL CHARACTER OF THE NEIGHBORHOOD OR DISTRICT IN WHICH
THE PROPERTY IS LOCATED. IT WILL NOT SUBSTANTIALLY OR PERMANENTLY
IMPAIRED THE ADJACENT PROPERTY, NOR BE DETRIMENTAL TO THE
PUBLIC WELFARE.
5. Standards for Variation. A statement of the characteristics of Subject Property that prevent compliance with the provisions of the Zoning Ordinance and the specific facts you believe support the grant of the required variation. In addition to your general explanation, you must specifically address the following requirements for the grant of a variation:

- (a) Unique Physical Condition. The Subject Property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure of sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the Subject Property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current lot owner.
- (b) Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner, or of the owner's predecessors in title and known to the owner prior to acquisition of the Subject Property, and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.
- (c) Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the Subject Property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.
- (d) Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.
- (e) Code and Plan Purposes. The variation would not result in a use or development of the Subject Property that would not be in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.
- (f) Essential Character of the Area. The variation would not result in a use or development of the Subject Property that:
- (1) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use development, or value of property of improvements permitted in the vicinity; or
 - (2) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
 - (3) Would substantially increase congestion in the public streets due to traffic or parking; or

- (4) Would unduly increase the danger of flood or fire; or
 - (5) Would unduly tax public utilities and facilities in the area; or
 - (6) Would endanger the public health or safety.
- (g) No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Subject Project.
(Attach separate sheet if additional space is needed.)

NOT SELF-CREATED.

THE AFORESAID UNIQUE PHYSICAL CONDITION IS NOT THE RESULT
OF ANY ACTION 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.

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:

TOM MACIULIS

Signature of Owner:

Name of Applicant:

TOM MACIULIS

Signature of Applicant:



Date:

1-14-15

POLOZ & MAKRIS ARCHITECTS, LTD.

6715 Palma Lane, Morton Grove, IL 60053 E-mail: polozarchitects@gmail.com Tel: 847-309-6966

Date: 1/14/14

To: ZONING BOARD OF APPEALS

RE: 321 East 9th Street, Hinsdale, Illinois

Dear Chairman and Members of Zoning Board of Appeals,

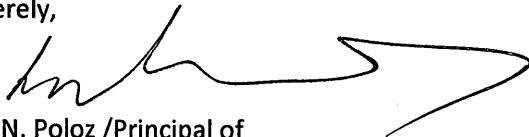
Approximately one year ago, my client, Mr. Maciulis, his wife and two children purchased the property located across a school with the purpose to rehab the existing house and turn it into their family dream home where their children could study and grow up in a healthy and safe family environment. It appeared that the purchased property had pre-existing, nonconforming side setbacks. Therefore, they are asking the Zoning Board of Appeals to grant them a Variance and Permit for the rehab of the existing two-story residence with the existing condition of nonconforming side yard setbacks.

The property is located in the R-1 Residential District in the Village of Hinsdale between S. Elm street and S. County Line, The front of the property is 100' wide with the depth of 199.91', totaling to 19,991 sq.ft. The max. FAR is approximately 5,597 sq.ft. and the maximum proposed rehab is 5,589 square feet. The existing residence was built in 1986 with the site setback of 10'-4" on east side and 11'-1" on west side. This circumstances and unique physical conditions of the existing property with nonconforming side setbacks constitute an insurmountable financial hardship to this family. In this application for variation, they are asking you to grant them the permission to rehab the existing house with nonconforming side setbacks without changing it.

This variance, if authorized, will not alter the essential character of the neighborhood or district. It will not substantially or permanently impair the adjacent properties, nor will it be detrimental to the public welfare.

Thank you for your time and consideration.

Sincerely,



Paul N. Poloz /Principal of
POLOZ & MAKRIS ARCHITECTS, LTD.

TOPOGRAPHIC SURVEY

Studnicka and Associates, Ltd.

Topographical
Condominium
Site Plans

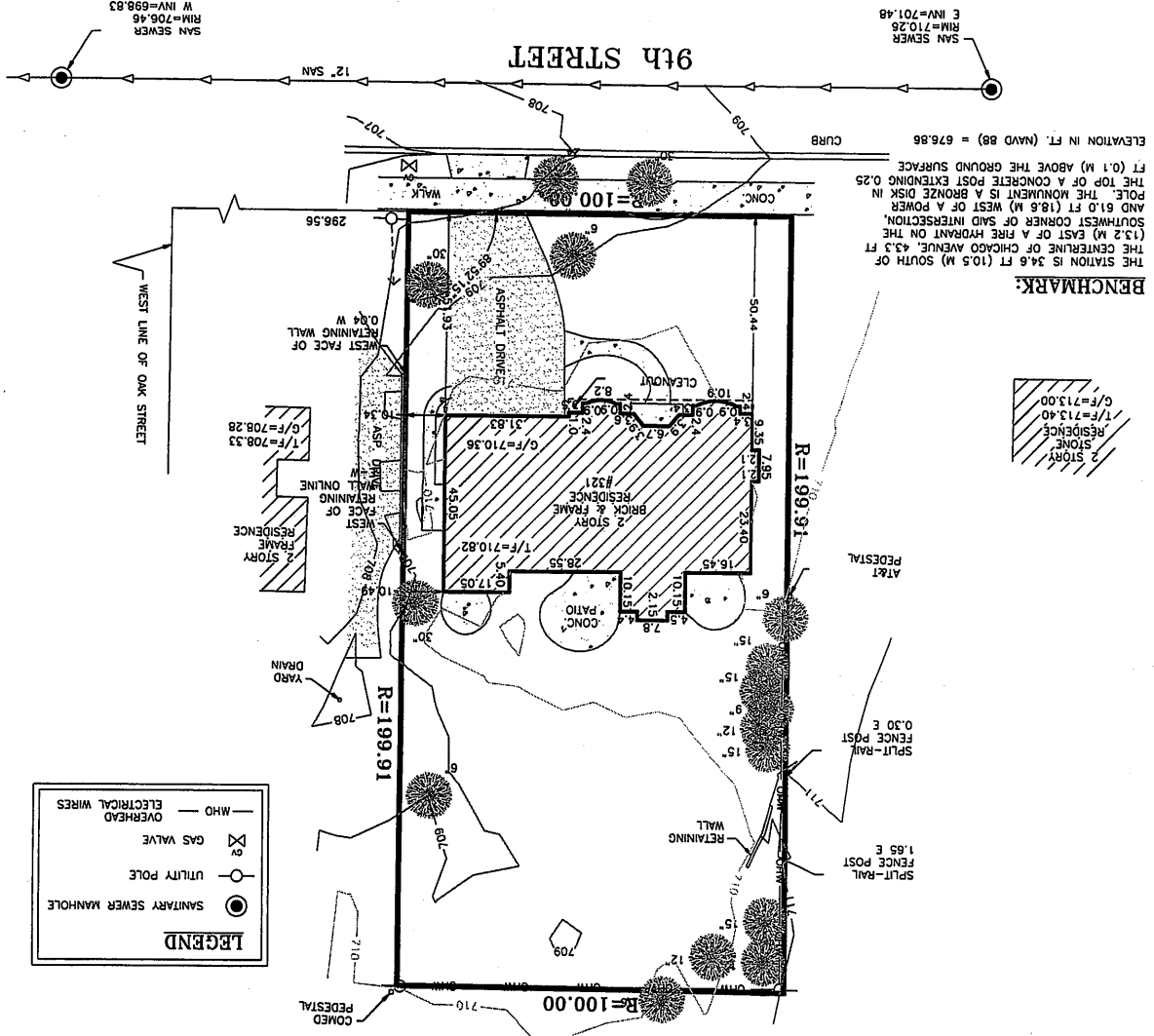
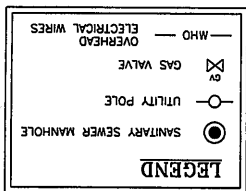


Residential
Commercial
ALTA

Tel. 815 485-0445
Fax 815 485-0528

17901 Haas Road
Mokena, Illinois 60448

THE EAST ONE-THIRD (1/3) OF THE SOUTH ONE-THIRD (1/3) OF THE WEST ONE-
HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHEAST ONE-QUARTER
(1/4) OF THE SOUTHEAST ONE-QUARTER (1/4) (EXCEPT THEREFROM THAT PORTION
TAKEN FOR STREETS) OF SECTION 12, TOWNSHIP 38 NORTH, RANGE 11, EAST OF
THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.



2 STORY
STONE
RESIDENCE
T/F=713.40
G/F=713.00

BENCHMARK:

THE STATION IS 34.6 FT (10.5 M) SOUTH OF
THE CENTERLINE OF CHICAGO AVENUE, 43.5 FT
(13.2 M) EAST OF A FIRE HYDRANT ON THE
SOUTHWEST CORNER OF SAID INTERSECTION,
AND 61.0 FT (18.6 M) WEST OF A POWER
POLE. THE MONUMENT IS A BRONZE DISK IN
THE TOP OF A CONCRETE POST EXTENDING 0.25
FT (0.1 M) ABOVE THE GROUND SURFACE.

Scale: 1" = 30 feet

Distances are marked in feet and decimals.

Ordered by: Poloz & Makris

Order No.: 14-5-144

Compare all points before building by
same and at once report any difference.

For building lines, restrictions, or easements not
shown hereon, refer to abstract, deed or ordinance.

Field work completed: 05/22/14

Drawn by: J.G.S.

Proofed by: T.S.

Design Firm Registration # 184-002791

Studnicka and Associates, Ltd., an Illinois Land Surveying
Corporation does hereby certify that this professional
service conforms to the current Illinois standards for
boundary survey.

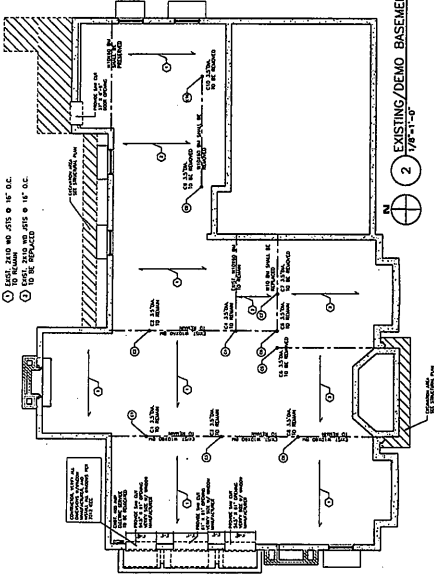
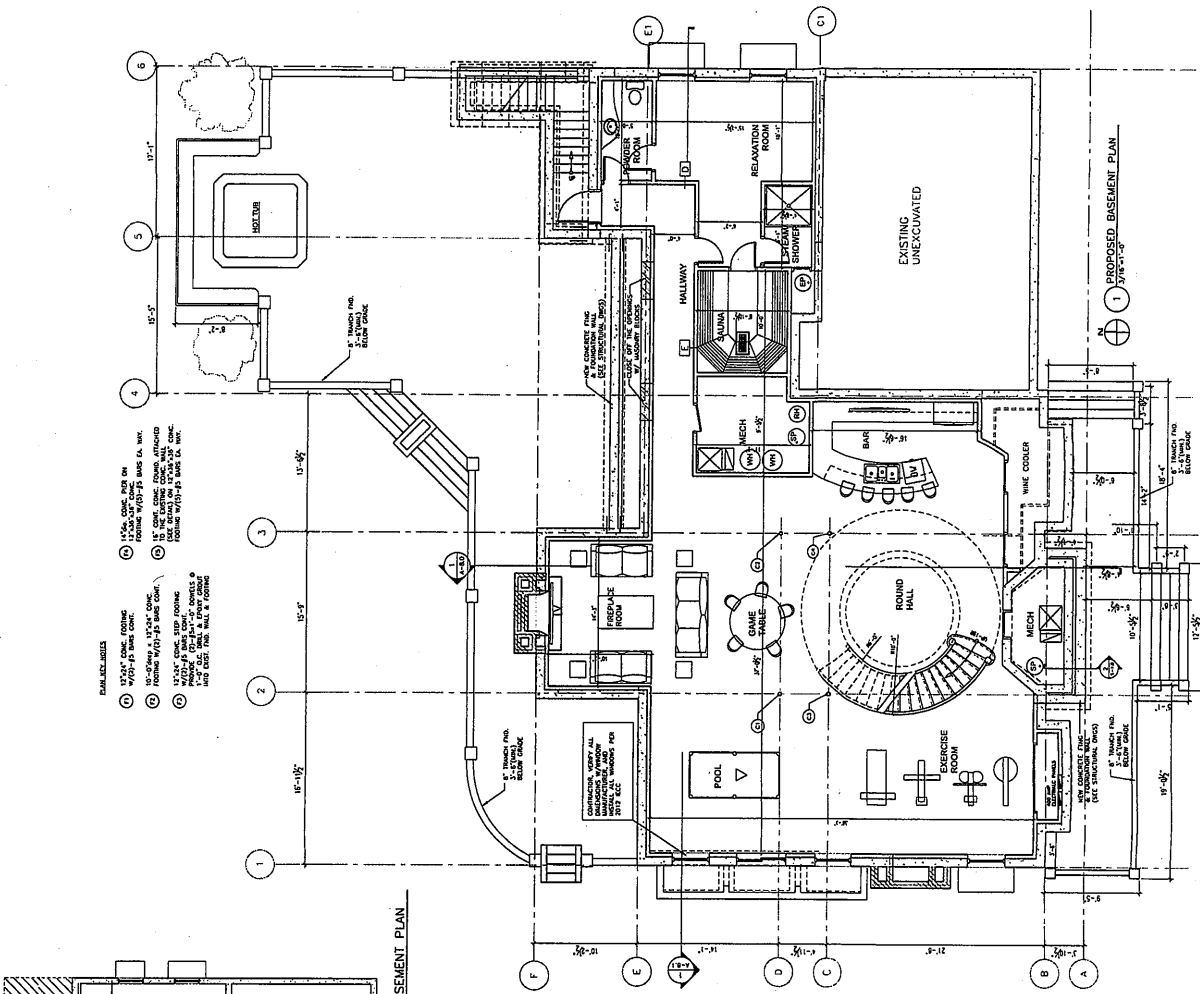
STATE OF ILLINOIS
COUNTY OF WILL
ss

Mokena, IL, May 23, A.D. 2014

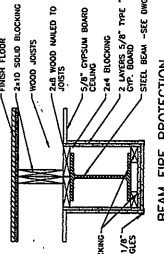
by

License No. 3304 Expires 11/30/14

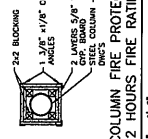




2 EXISTING/DEMO BASEMENT PLAN



**BEAM FIRE PROTECTION
(2 HOURS FIRE RATING)**



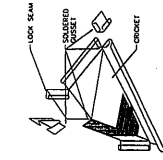
**COLUMN FIRE PROTECTION
2 HOURS FIRE RATING**

CONCISE PRESENTATION
 1. The following information is to be presented in 14th paragraph and 15th paragraph of the 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211st, 212nd, 213th, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 295th, 296th, 297th, 298th, 299th, 300th, 301st, 302nd, 303rd, 304th, 305th, 306th, 307th, 308th, 309th, 310th, 311st, 312nd, 313th, 314th, 315th, 316th, 317th, 318th, 319th, 320th, 321st, 322nd, 323rd, 324th, 325th, 326th, 327th, 328th, 329th, 330th, 331st, 332nd, 333rd, 334th, 335th, 336th, 337th, 338th, 339th, 340th, 341st, 342nd, 343rd, 344th, 345th, 346th, 347th, 348th, 349th, 350th, 351st, 352nd, 353rd, 354th, 355th, 356th, 357th, 358th, 359th, 360th, 361st, 362nd, 363rd, 364th, 365th, 366th, 367th, 368th, 369th, 370th, 371st, 372nd, 373rd, 374th, 375th, 376th, 377th, 378th, 379th, 380th, 381st, 382nd, 383rd, 384th, 385th, 386th, 387th, 388th, 389th, 390th, 391st, 392nd, 393rd, 394th, 395th, 396th, 397th, 398th, 399th, 400th, 401st, 402nd, 403rd, 404th, 405th, 406th, 407th, 408th, 409th, 410th, 411st, 412nd, 413th, 414th, 415th, 416th, 417th, 418th, 419th, 420th, 421st, 422nd, 423rd, 424th, 425th, 426th, 427th, 428th, 429th, 430th, 431st, 432nd, 433rd, 434th, 435th, 436th, 437th, 438th, 439th, 440th, 441st, 442nd, 443rd, 444th, 445th, 446th, 447th, 448th, 449th, 450th, 451st, 452nd, 453rd, 454th, 455th, 456th, 457th, 458th, 459th, 460th, 461st, 462nd, 463rd, 464th, 465th, 466th, 467th, 468th, 469th, 470th, 471st, 472nd, 473rd, 474th, 475th, 476th, 477th, 478th, 479th, 480th, 481st, 482nd, 483rd, 484th, 485th, 486th, 487th, 488th, 489th, 490th, 491st, 492nd, 493rd, 494th, 495th, 496th, 497th, 498th, 499th, 500th, 501st, 502nd, 503rd, 504th, 505th, 506th, 507th, 508th, 509th, 510th, 511st, 512nd, 513th, 514th, 515th, 516th, 517th, 518th, 519th, 520th, 521st, 522nd, 523rd, 524th, 525th, 526th, 527th, 528th, 529th, 530th, 531st, 532nd, 533rd, 534th, 535th, 536th, 537th, 538th, 539th, 540th, 541st, 542nd, 543rd, 544th, 545th, 546th, 547th, 548th, 549th, 550th, 551st, 552nd, 553rd, 554th, 555th, 556th, 557th, 558th, 559th, 560th, 561st, 562nd, 563rd, 564th, 565th, 566th, 567th, 568th, 569th, 570th, 571st, 572nd, 573rd, 574th, 575th, 576th, 577th, 578th, 579th, 580th, 581st, 582nd, 583rd, 584th, 585th, 586th, 587th, 588th, 589th, 590th, 591st, 592nd, 593rd, 594th, 595th, 596th, 597th, 598th, 599th, 600th, 601st, 602nd, 603rd, 604th, 605th, 606th, 607th, 608th, 609th, 610th, 611st, 612nd, 613th, 614th, 615th, 616th, 617th, 618th, 619th, 620th, 621st, 622nd, 623rd, 624th, 625th, 626th, 627th, 628th, 629th, 630th, 631st, 632nd, 633rd, 634th, 635th, 636th, 637th, 638th, 639th, 640th, 641st, 642nd, 643rd, 644th, 645th, 646th, 647th, 648th, 649th, 650th, 651st, 652nd, 653rd, 654th, 655th, 656th, 657th, 658th, 659th, 660th, 661st, 662nd, 663rd, 664th, 665th, 666th, 667th, 668th, 669th, 670th, 671st, 672nd, 673rd, 674th, 675th, 676th, 677th, 678th, 679th, 680th, 681st, 682nd, 683rd, 684th, 685th, 686th, 687th, 688th, 689th, 690th, 691st, 692nd, 693rd, 694th, 69

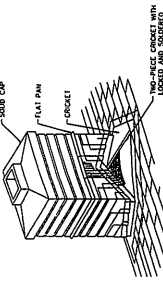
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MATERIAL PROPERTIES		T _g , °F	
		20,000	40,000
1. CONCRETE PROPERTIES			
a.	COMPRESSIVE STRENGTH	3000	4000
b.	TENSILE STRENGTH	300	400
c.	TENSILE ELONGATION	1000	1000
d.	MODULUS OF ELASTICITY	3,000,000	4,000,000
e.	POISSON'S RATIO	0.2	0.2
f.	COEFFICIENT OF THERMAL EXPANSION	5.5 x 10 ⁻⁶	5.5 x 10 ⁻⁶
2. REINFORCING PROPERTIES			
a.	TENSILE STRENGTH	60,000	70,000
b.	TENSILE ELONGATION	10	10
c.	MODULUS OF ELASTICITY	29,000,000	29,000,000
d.	POISSON'S RATIO	0.3	0.3
e.	COEFFICIENT OF THERMAL EXPANSION	6.5 x 10 ⁻⁶	6.5 x 10 ⁻⁶
3. STEEL PROPERTIES			
a.	YIELD STRENGTH	36,000	42,000
b.	TENSILE STRENGTH	58,000	68,000
c.	TENSILE ELONGATION	20	20
d.	MODULUS OF ELASTICITY	29,000,000	29,000,000
e.	POISSON'S RATIO	0.3	0.3
f.	COEFFICIENT OF THERMAL EXPANSION	6.5 x 10 ⁻⁶	6.5 x 10 ⁻⁶
g.	WEAR RESISTANCE	100,000	100,000
h.	IMPACT RESISTANCE	100,000	100,000
i.	CRACK RESISTANCE	100,000	100,000
j.	STRESS CORROSION RESISTANCE	100,000	100,000
k.	HAZARD RISK	100,000	100,000
l.	ROAD STOPS	100,000	100,000

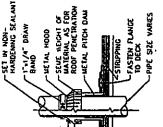
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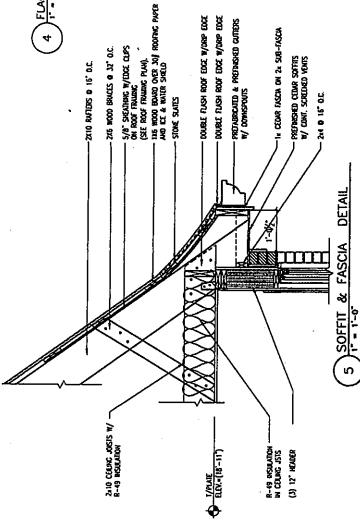
2 1'-1'-0" ALTERNATE/CHEMNEY ROOF ONE-PIECE CRICKET



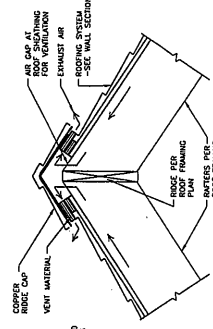
3 FLASHING WITH CRICKET SEAM
1" = 1'-0"



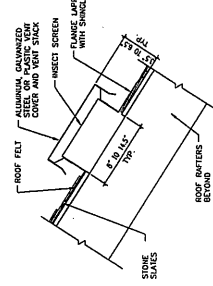
4 FLAGPOLES AND TALL PIPES
1" = 1'-0"



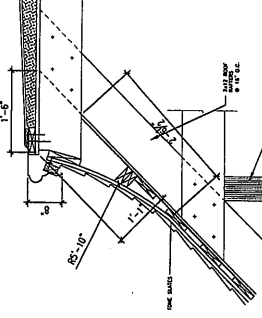
5 SOFFIT & FASCIA DETAIL
1" = 1'-0"



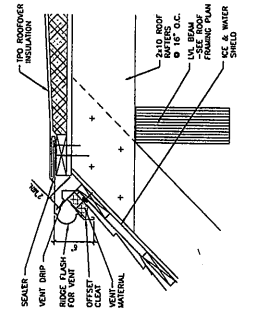
TYP. RIDGE VENT
1 1/2" = 1'-0"



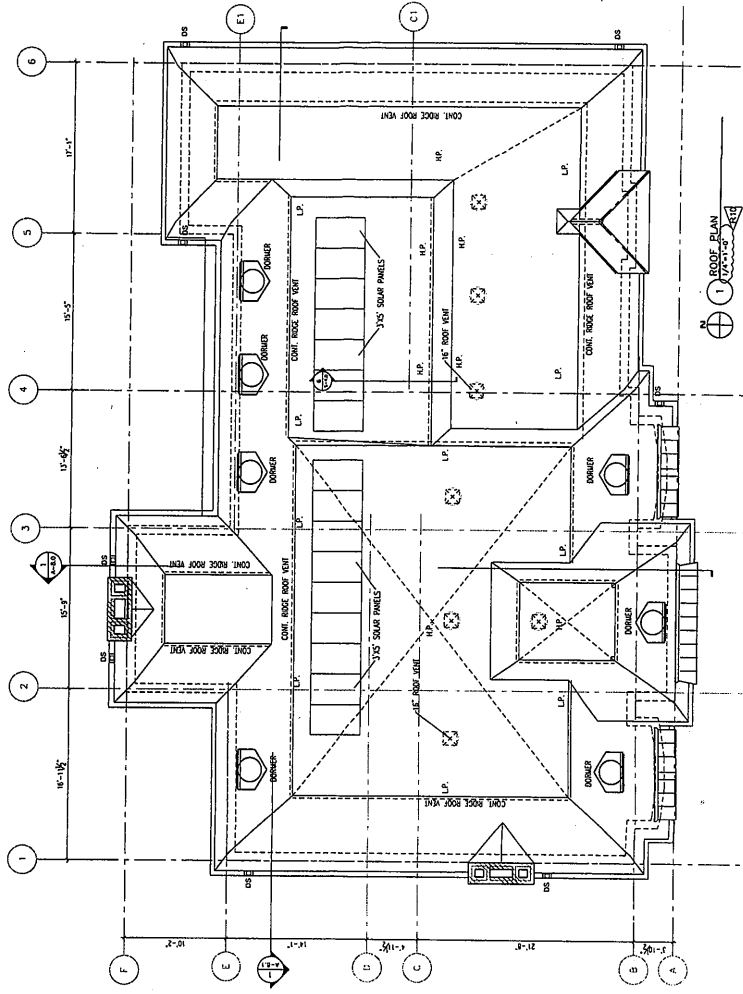
TYP. ROOF VENT
1 1/2" x 1'-0"

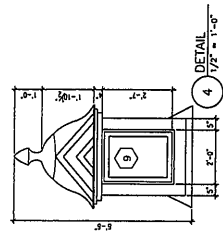


4 RIDGE DETAIL
1" = 1'-0"



3 RIDGE VENT DETAIL
1 1/2" = 1'-0"





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