

AGENDA
Village Of Hinsdale
Plan Commission
Wednesday, February 8, 2012
Memorial Hall, Memorial Building
7:30 PM
(Tentative and Subject to Change)

1. **Minutes** – Minutes of January 11, 2012
2. **Findings and Recommendations** –
 - a. A-01-2012 – 53 S. Washington Street – JDR Investments/J McLaughlin – Site Plan/Exterior Appearance Approval for Façade Improvements.
3. **Scheduling of Public Hearings** – No discussion will take place except to determine time and date of hearing.
 - a. A-05-2012 – 49 ½ S. Washington Street – Special Use to Allow a Physical Fitness Facility (Pilates) on the Second Floor.
4. **Public Hearings** – Recommendations forwarded to next Zoning & Public Safety Committee Meeting. All those wishing to provide public testimony must be sworn in and after the applicant makes their presentation will be recognized by the Chair to speak.
 - a. A-37-2011 – Village of Hinsdale – Text Amendment to Section 12-206 (Definitions), as it relates to the definition of “Attached Garage”.
5. **Adjournment**

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact Darrell Langlois, ADA Coordinator at 630.789-7014 or **by TDD at 789-7022** promptly to allow the Village of Hinsdale to make reasonable accommodations for those persons.

Web Site: www.villageofhinsdale.org

Approved:
DRAFT

**MINUTES
VILLAGE OF HINSDALE
PLAN COMMISSION
JANUARY 11, 2012
MEMORIAL HALL
7:30 P.M.**

Chairman Byrnes called the meeting to order at 7:30 p.m., Wednesday, January 11, 2012 in Memorial Hall, the Memorial Building, 19 East Chicago Avenue, Hinsdale, Illinois.

PRESENT: Chairman Byrnes, Commissioner Nelson, Commissioner Stifflear
Commissioner Cashman, Commissioner McMahon, Commissioner Crnovich
and Commissioner Brody

ABSENT: Commissioner Sullins and Commissioner Johnson

ALSO PRESENT: Sean Gascoigne, Village Planner

Approval of Minutes

The Plan Commission reviewed the minutes from the November 9, 2011 meeting. Commissioner Nelson motioned to approve the minutes of November 9, 2011. Commissioner Brody seconded. The motion passed unanimously.

Scheduling of Public Hearings

A-37-2011 – Village of Hinsdale – Text Amendment to Section 12-206 (Definitions), as it relates to the definition of “Attached Garage”.

Chairman Byrnes stated these public hearings would be scheduled for February 8, 2012.

Exterior Appearance/Site Plan Review

A-01-2012 – 53 S. Washington Street – JDR Investments/J McLaughlin – Site Plan/Exterior Appearance Approval for Façade Improvements.

Chairman Byrnes introduced the case and asked the applicant to come forward.

Patrick McCarty, architect for the applicant, introduced himself and summarized the project. He explained the use of materials and presented a materials board apologizing for the discrepancy in colors between what printed out and what the actual colors were.

Chairman Byrnes asked Village Planner Gascoigne how the approval of the planters worked.

Mr. Gascoigne indicated it was all part of the exterior appearance approval. He explained that the plat of survey provided in the packet identifies and additional six feet of private property west of the building façade and if the Commission liked the planters, they could approve it as part of the request.

**Plan Commission Minutes
January 11, 2012**

The Commission confirmed that it was the number of signs and not the size that the applicant was looking to get the additional approval for. Several of the Commissioners complimented Mr. McCarty on the design and the choice of colors for the business.

Commissioner Cashman motioned to disapprove the Site Plan for Façade Improvements at 53 S. Washington Street – JDR Investments/J McLaughlin. Commissioner Nelson seconded. The motion failed unanimously and the site plan was approved.

Commissioner Nelson motioned for the approval of Exterior Appearance for Façade Improvements at 53 S. Washington Street – JDR Investments/J McLaughlin. Commissioner Brody seconded. The motion passed unanimously.

Adjournment

Commissioner Nelson moved to adjourn. Commissioner Brody seconded and the meeting adjourned at 7:41 p.m. on January 11, 2012.

Respectfully Submitted,

Sean Gascoigne
Village Planner

HINSDALE PLAN COMMISSION

RE: 53 S. Washington Street – JDR Investment Properties, LLC – Exterior Appearance/Site Plan Review

DATE OF PLAN COMMISSION REVIEW: January 11, 2012

DATE OF ZONING AND PUBLIC SAFETY REVIEW: January 23, 2012

FINDINGS AND RECOMMENDATION

I. FINDINGS

1. Patrick McCarty, representing JDR Investment Properties, LLC (the “Applicant”) submitted an application to the Village of Hinsdale for exterior appearance and site plan review at 53 S. Washington (the “Subject Property”).
2. The Subject Property is located in the B-2 Central Business District and is improved with a multiple-story commercial building.
3. The applicant is proposing the following changes to the façade:
 - The addition of three new gold awnings.
 - A change in the paint color for the door and wood around the front entrance, as well as certain window frames as identified in the attached illustrations.
 - The addition of four new planter boxes on the west elevation of the building.
 - Two new awning signs and one entrance sign. The two awning signs would total 3 square feet and the new wall sign would be a total 4.25 square feet with an overall ***total of 7.25 square feet*** for all three signs. It should be noted that the Plan Commission has final authority regarding signage and no additional action is required for the requested signs.
4. The Plan Commission finds that the plan submitted by the Applicant complies with the standards set forth in Section 11-604 of the Zoning Code governing site plan review.
5. The Plan Commission finds that the plan submitted by the Applicant complies with the standards set forth Section 11-606 of the Zoning Code governing exterior appearance review.

II. RECOMMENDATION

The Village of Hinsdale Plan Commission, on a vote of seven (7) “Ayes,” zero (0) “Nays,” and two (2) “Absent” recommends that the President and Board of Trustees approve the site plan and exterior appearance plans for 53 S. Washington Street.

THE HINSDALE PLAN COMMISSION

By: _____
Chairman

Dated this _____ day of _____, 2012.

Memorandum

To: Chairman Byrnes and Plan Commissioners

From: Sean Gascoigne, Village Planner 

Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager

Date: February 8, 2012

Re: Scheduling of Public Hearings for Cases A-5-2012

Applicant: Tiziana Buzzi

Request: Special Use Permit for a Physical Fitness Facility (Pilates Studio) above the 1st Floor at 49 ½ S. Washington Street

The applicant is proposing a Pilates studio to be located on the second floor of the commercial building located at 49 ½ S. Washington Street in the B-2 Central Business District and is requesting approval of a special use to allow the business. According to Paragraph 5-105C(11), physical fitness/personal training facilities must be located above the first floor of any structure in the B-2 district and is a special use.

It is requested that the public hearings be scheduled for March 14, 2012.

Attachment

Cc: President Cauley and Village Board of Trustees
David Cook



VILLAGE OF HINSDALE FOUNDED IN 1877

VILLAGE OF HINSDALE COMMUNITY DEVELOPMENT DEPARTMENT

PLAN COMMISSION APPLICATION FOR BUSINESS DISTRICTS

I. GENERAL INFORMATION

Applicant
Name: TIZIANA BOZZI
Address: 2507 ARCADIA CIR
City/Zip: NAPERVILLE IL
Phone/Fax: (630) 605 5226
E-Mail: TIZIANABOZZI@GMAIL.COM

Owner
Name: MARION THERMOI
Address: 5912 STERNMAN AVE
City/Zip: DOWNERS GROVE
Phone/Fax: () /
E-Mail:

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name: DANA KURTZ
Title: ATTORNEY AT LAW
Address: 32 BLAINE STREET
City/Zip: HINSDALE 60521
Phone/Fax: (630) 323 9444
E-Mail:

Name:
Title:
Address:
City/Zip:
Phone/Fax: () /
E-Mail:

Disclosure of Village Personnel: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)
1)
2)
3)

II. SITE INFORMATION

Address of subject property: 49 1/2 S. WASHINGTON

Property identification number (P.I.N. or tax number): - - -

Brief description of proposed project: MIND/BODY STUDIO (PILATES)

General description or characteristics of the site: EXISTING BUILDING

Existing zoning and land use: B-2

Surrounding zoning and existing land uses:

North: B-2 South: B-2

East: B-2 West: B-2

Proposed zoning and land use: B-2

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

<input type="checkbox"/> Site Plan Disapproval 11-604	<input type="checkbox"/> Map and Text Amendments 11-601E Amendment Requested: _____
<input type="checkbox"/> Design Review Permit 11-605E	_____
<input type="checkbox"/> Exterior Appearance 11-606E	<input type="checkbox"/> Planned Development 11-603E
<input checked="" type="checkbox"/> Special Use Permit 11-602E Special Use Requested: _____	<input type="checkbox"/> Development in the B-2 Central Business District Questionnaire

TABLE OF COMPLIANCE

Address of subject property: 49 1/2 S. WASHINGTON

The following table is based on the _____ Zoning District.

	Minimum Code Requirements			Proposed/Existing Development
	B-1	B-2	B-3	
				<i>EXISTING BUILDING</i>
Minimum Lot Area	6,250	2,500	6,250	
Minimum Lot Depth	125'	125'	125'	
Minimum Lot Width	50'	20'	50'	
Building Height	30'	30'	30'	
Number of Stories	2	2	2	
Front Yard Setback	25'	0'	25'	
Corner Side Yard Setback	25'	0'	25'	
Interior Side Yard Setback	10'	0'	10'	
Rear Yard Setback	20'	20'	20'	
Maximum Floor Area Ratio (F.A.R.)*	.35	2.5	.50	
Maximum Total Building Coverage*	N/A	80%	N/A	
Maximum Total Lot Coverage*	90%	100%	90%	
Parking Requirements				
Parking front yard setback				
Parking corner side yard setback				
Parking interior side yard setback				
Parking rear yard setback				
Loading Requirements				
Accessory Structure Information (height)	15'	15'	15'	

* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: _____

1/28/12

Lessor:

Marion Thermos
5912 Sherman Ave
Downers Grove, IL 60516

Lessee:

Tiziana Buzzi

Address:

2507 ARCADIA CIR
NAPERVILLE IL
60560

Rental Space:

Offices 8 and 11
49 1/2 South Washington
Hinsdale, IL 60521

This agreement between the above Lessor and Lessee is as follows:

Lessor agrees to hold the Rental Space for the Lessee and not rent it out to another while the Village of Hinsdale is processing the Lessee's application for a Special Use Permit. This Special Use Permit is expected to be approved by the Village of Hinsdale during the month of April, 2012. For this reason the Lessor will hold the space through the last day of April, 2012.

Lessee will pay the Lessor a non-refundable fee of \$1600.00 to hold the space through April, 2012.

The Lessee has been given and has paid for two Village of Hinsdale parking permits. These permits are good through the month of June, 2012.

Starting February 1, 2012 the Lessee will be provided keys to the space. The Lessee will be allowed to occupy the space until the end of April, 2012 without a signed lease. The Lessee is expected to follow the terms and conditions contained in The Lease as though it is in force.

When The Village of Hinsdale issues the Special Occupancy Permit the Lessee will sign and return The Lease. Lessee should review The Lease and contact the Lessor with any questions as soon as possible.

Should The Village of Hinsdale deny the Special Use Permit the Lessee will vacate the Rented Space and leave it in the same condition in which they found it. They will return the two parking permits to the Lessor. No refund will be given for the cost of the parking permits.

We agree to the above terms:

Marion L. Thermos
Marion L. Thermos, Lessor

Tiziana Buzzi
Tiziana Buzzi, Lessee

tiziana1.doc



**COMMUNITY DEVELOPMENT DEPARTMENT
SPECIAL USE PERMIT CRITERIA**

**VILLAGE
OF HINSDALE** FOUNDED IN 1873

Must be accompanied by completed Plan Commission Application

Address of proposed request: 49 1/2 S. WASHINGTON

Proposed Special Use request: PILATES - MIND/BODY STUDIO

Is this a Special Use for a Planned Development? No Yes (If so this submittal also requires a completed Planned Development Application)

REVIEW CRITERIA

Section 11-602 of the Hinsdale Zoning Code regulates Special use permits. Standard for Special Use Permits: In determining whether a proposed special use permit should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands, or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Plan Commission and Board of Trustees should weigh, among other factors, the below criteria Please respond to each criterion as it relates to the application. Please use an additional sheet of paper to respond to questions if needed.

FEES for a Special Use Permit: \$1,225 (must be submitted with application)

1. *Code and Plan Purposes.* The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established.

Similar type uses already exist in
Town

2. *No Undue Adverse Impact.* The proposed use and development will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

Closes are no more than 4 people
at once

3. *No Interference with Surrounding Development.* The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations N/A

4. *Adequate Public Facilities.* The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services. N/A

5. *No Traffic Congestion.* The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. no

Classes are very small up to 4 people only

6. *No Destruction of Significant Features.* The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance. no

Building is existing

7. *Compliance with Standards.* The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

Similar uses exist in downtown

8. *Special standards for specified special uses.* When the district regulations authorizing any special use in a particular district impose special standards to be met by such use in such district. N/A

9. Considerations. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission shall consider the following:

Public benefit. Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

It's a good complement to the existing tenants in that building

Alternate locations. Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

The zoning dictates upper floor and small size of my business fits well

Mitigation of adverse impacts. Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

This building is existing

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE 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 SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 01 day of 30, 2012, I/We have read the above certification, understand it, and agree to abide by its conditions.

[Signature]
Signature of applicant or authorized agent

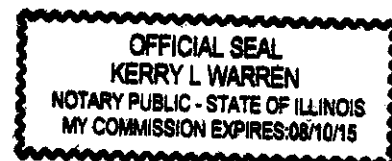
Signature of applicant or authorized agent

TIZIANA BUZZI
Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 30th day of
January, 2012.

[Signature]
Notary Public



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

Application for Certificate of Zoning Compliance

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

Applicant's name: TIZIANA BUZZI

Owner's name (if different): _____

Property address: 49 1/2 S. Washington

Property legal description: [attach to this form] _____

Present zoning classification: Special Use Permit B2

Square footage of property: 725 Sq FT

Lot area per dwelling: _____

Lot dimensions: _____

Current use of property: _____

Proposed use: Single-family detached dwelling
 Other: _____

Approval sought: Building Permit Variation
 Special Use Permit Planned Development
 Site Plan Exterior Appearance
 Design Review
 Other: _____

Brief description of request and proposal:
Request a use permit to open a small
Pilates or Mind/Body Studio

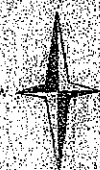
Plans & Specifications: [submit with this form]

	Provided:	Required by Code:
Yards:		
front:	_____	_____
interior side(s)	_____/_____ _____	_____/_____ _____

Recd. of *James*
PLAT OF SURVEY

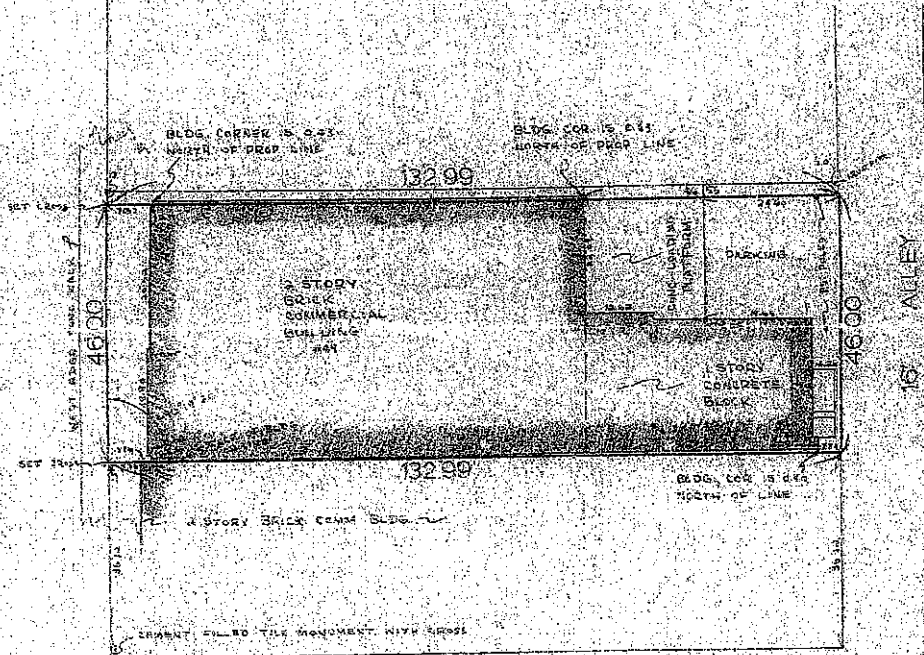
of

THE SOUTH 46 FEET OF THE NORTH 46 FEET OF LOT 7 IN ROTH'S SUBDIVISION OF LOTS 2, 3, 6, 9, AND 10
 IN BLOCK 2 IN HILSDALE, IN PART OF THE NORTH WEST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH,
 RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.



SCALE 1" = 75'

WASHINGTON ST. (66')



16' WILEY

1ST. ST. (66')

THIS SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT ACCURATELY REPRESENTS THE ACTUAL SURVEY MADE AND THE DIMENSIONS AND AREAS THEREON ARE CORRECT.

James
Paul W. Cott
 Surveyor


IRON PILES AT ALL
 CORNERS UNLESS
 OTHERWISE NOTED.

For Building Instructions, see
 Specifications, also to year of
 actual work, also to year of
 and local Ordinances.

COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE

JOB NO. 1486
 BOOK F-23 PAGE 11
 DRAWN BY: QWS
 CHECKED BY: B.L.W.

Memorandum

To: Chairman Byrnes and Plan Commissioners
From: Sean Gascoigne, Village Planner 
Cc: Robb McGinnis, Building Commissioner
David Cook, Village Manager
Date: February 8, 2012
Re: Public Hearing for Case A-37-2011
Applicant: Village of Hinsdale
Request: Text Amendment to Section 12-206 (Definitions), as it relates to the definition of "Attached Garage".

Staff has been asked to define what constitutes an attached vs. detached garage. None of the codes adopted by the Village define this and as result, we have generally relied on the definition in the Dictionary of Architecture and Construction used by the department for many years. A copy is included for your reference. We have used this publication rather than to rely on Webster's, as we felt that their definition was too vague. It should be noted that this has only come up as an issue recently due to what applicants want to do with the spaces over these "attached" garages and the slippery slope our present interpretation creates when it comes to these cases. Our Village Attorney has recommended that we pursue a text amendment to define an "attached garage" in order to avoid confusion and help clarify where in the range of definitions the Village would like to be.

Staff feels that the most conservative approach would be to define an "attached garage" as follows; *Attached Garage: A garage abutting the principal structure or connected via conditioned area as defined by the building code.*

The 2006 International Residential Code defines "conditioned area" as "That area within a building provided with heating and/or cooling systems or appliances capable of maintaining, through design or heat loss/gain, 68 degrees Fahrenheit during the heating season and/or 80 degrees Fahrenheit during the cooling season, or has a fixed opening directly adjacent to a conditioned area.

Attachment

Cc: President Cauley and Village Board of Trustees



VILLAGE OF HINSDALE FOUNDED IN 1873

**VILLAGE OF HINSDALE
COMMUNITY DEVELOPMENT
DEPARTMENT**

GENERAL APPLICATION

I. GENERAL INFORMATION

Applicant
Name: <u>Village of Hinsdale</u>
Address: <u>19 E. Chicago Ave.</u>
City/Zip: <u>Hinsdale, Il. 60521</u>
Phone/Fax: (630) <u>789-7030</u> / _____
E-Mail: _____

Owner
Name: <u>N/A</u>
Address: _____
City/Zip: _____
Phone/Fax: () _____ / _____
E-Mail: _____

Others, if any, involved in the project (i.e. Architect, Attorney, Engineer)

Name: _____
Title: _____
Address: _____
City/Zip: _____
Phone/Fax: () _____ / _____
E-Mail: _____

Name: _____
Title: _____
Address: _____
City/Zip: _____
Phone/Fax: () _____ / _____
E-Mail: _____

Disclosure of Village Personnel: (List the name, address and Village position of any officer or employee of the Village with an interest in the owner of record, the Applicant or the property that is the subject of this application, and the nature and extent of that interest)
1) <u>Robert McGinnis, Director of Community Development/Building Commissioner</u>
2) <u>Sean Gascoigne, Village Planner</u>
3) _____

II. SITE INFORMATION

Address of subject property: N/A

Property identification number (P.I.N. or tax number): _____ - _____ - _____

Brief description of proposed project: Text Amendment to Section 12-206 of the Hinsdale Zoning Code as it relates to the Definition of "Attached" Garages.

General description or characteristics of the site: N/A

Existing zoning and land use: N/A

Surrounding zoning and existing land uses:

North: N/A South: N/A

East: N/A West: N/A

Proposed zoning and land use: N/A

Existing square footage of property: N/A square feet

Existing square footage of all buildings on the property: _____ square feet

Please mark the approval(s) you are seeking and attach all applicable applications and standards for each approval requested:

Site Plan Disapproval 11-604

Design Review Permit 11-605E

Exterior Appearance 11-606E

Special Use Permit 11-602E
Special Use Requested: _____

Map and Text Amendments 11-601E
Amendment Requested: Section 12-206 as it relates to the Definition of "Attached" Garages.

Planned Development 11-603E

Development in the B-2 Central Business District Questionnaire

Major Adjustment to Final Plan Development

TABLE OF COMPLIANCE

Address of subject property: N/A

The following table is based on the N/A Zoning District.

	Minimum Code Requirements	Proposed/Existing Development
Minimum Lot Area	Text Amendment: Not Applicable	
Minimum Lot Depth		
Minimum Lot Width		
Building Height		
Number of Stories		
Front Yard Setback		
Corner Side Yard Setback		
Interior Side Yard Setback		
Rear Yard Setback		
Maximum Floor Area Ratio (F.A.R.)*		
Maximum Total Building Coverage*		
Maximum Total Lot Coverage*		
Parking Requirements		
Parking front yard setback		
Parking corner side yard setback		
Parking interior side yard setback		
Parking rear yard setback		
Loading Requirements		
Accessory Structure Information		

* Must provide actual square footage number and percentage.

Where any lack of compliance is shown, state the reason and explain the Village's authority, if any, to approve the application despite such lack of compliance: _____

CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that he or she consents to the filing of this application and that all information contained in this application is true and correct to the best of his or her knowledge.
- B. The applicant understands that an incomplete or nonconforming application will not be considered. In addition, the applicant understands that the Village may require additional information prior to the consideration of this application which may include, but is not limited to, the following items:
1. Minimum yard and setback dimensions and, where relevant, relation of yard and setback dimensions to the height, width, and depth of any structure.
 2. A vehicular and pedestrian circulation plan showing the location, dimensions, gradient, and number of all vehicular and pedestrian circulation elements including rights-of-way and streets; driveway entrances, curbs, and curb cuts; parking spaces, loading spaces, and circulation aisles; sidewalks, walkways, and pathways; and total lot coverage of all circulation elements divided as between vehicular and pedestrian ways.
 3. All existing and proposed surface and subsurface drainage and retention and detention facilities and all existing and proposed water, sewer, gas, electric, telephone, and cable communications lines and easements and all other utility facilities.
 4. Location, size, and arrangement of all outdoor signs and lighting.
 5. Location and height of fences or screen plantings and the type or kind of building materials or plantings used for fencing or screening.
 6. A detailed landscaping plan, showing location, size, and species of all trees, shrubs, and other plant material.
 7. A traffic study if required by the Village Manager or the Board or Commission hearing the application.
- C. The Applicants shall make the property that is the subject of this application available for inspection by the Village at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicants shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten days following the change, and that failure to do so shall be grounds for denial of the application; and
- E. The Applicant understands that he/she is responsible for all application fees and any other fees, which the Village assesses under the provisions of Subsection 11-301D of the Village of Hinsdale Zoning Code as amended April 25, 1989.
- F. THE OWNER OF THE SUBJECT PROPERTY AND, IF DIFFERENT, THE APPLICANT ARE JOINTLY AND SEVERALLY LIABLE FOR THE PAYMENT OF THE APPLICABLE 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 SUBJECT PROPERTY FOR THE FEE PLUS COSTS OF COLLECTION, IF THE ACCOUNT IS NOT SETTLED WITHIN THIRTY (30) DAYS AFTER THE MAILING OF A DEMAND FOR PAYMENT.

On the 9th day of December, 2011, I/We have read the above certification, understand it, and agree to abide by its conditions.

Village of Hinsdale by
David C. Cook
Signature of applicant or authorized agent

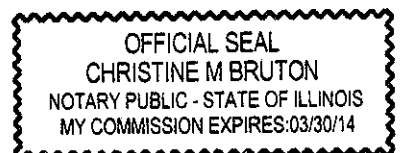
Signature of applicant or authorized agent

David C. Cook
Name of applicant or authorized agent

Name of applicant or authorized agent

SUBSCRIBED AND SWORN
to before me this 9th day of
December, 2011

Christine M. Bruton
Notary Public





COMMUNITY DEVELOPMENT
DEPARTMENT
**ZONING CODE TEXT AND MAP
AMENDMENT APPLICATION**

Must be accompanied by completed Plan Commission Application

Address of the subject property or description of the proposed request: Text Amendment to Section 12-206, as it relates to the definition of "attached garage".

REVIEW CRITERIA

Section 11-601 of the Hinsdale Zoning Code regulates Amendments. The amendment process established is intended to provide a means for making changes in the text of the Zoning Code and in the zoning map that have more or less general significance or application. It is not intended to relieve particular hardships nor to confer special privileges or rights. Rather, it is intended as a tool to adjust the provisions of the Zoning Code and the zoning map in light of changing, newly discovered, or newly important conditions, situations, or knowledge. The wisdom of amending the text of the Zoning Code is a matter committed to the sound legislative discretion of the Board of Trustees and is not dictated by any set standard. However, in determining whether a proposed amendment should be granted or denied the Board of Trustees should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Board of Trustees should weigh, among other factors, the below criteria.

Below are the 14 standards for amendments that will be the criteria used by the Plan Commission and Board of Trustees in determining the merits of this application. Please respond to each standard as it relates to the application. Please use an additional sheet of paper to respond to questions if needed. If the standard is not applicable, please mark N/A.

1. The consistency of the proposed amendment with the purpose of this Code.

The proposed text amendment is recommended by the Village Staff to further clarify a position regarding what constitutes "attached" when considering garages in the single-family residential districts. If approved, the text amendment would not change anything in terms of code requirements, but rather would clearly establish the definition of "attached" and hopefully eliminate unnecessary misinterpretations.

2. The existing uses and zoning classifications for properties in the vicinity of the subject property.

N/A

3. The trend of development in the vicinity of the subject property, including changes, if any, such trend since the subject property was placed in its present zoning classification.

N/A

4. The extent, if any, to which the value of the subject property is diminished by the existing zoning classification applicable to it.
The proposed text amendment is not site specific, but it should not diminish any value as it is only intended to clarify for the purpose of minimizing interpretations regarding the existing definition.
5. The extent to which any such diminution in value is offset by an increase in the public health, safety, and welfare. N/A
-

6. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.
Depending on how the term "attached" is defined it could impact how garages and their space are utilized.

7. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment. The proposed text amendment should not affect the value of any properties but is intended to provide further clarification.

8. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.
The proposed text amendment would cut down on potential issues regarding what is attached or detached and give clearer direction to staff and residents in terms of how garage space should be utilized.

9. The suitability of the subject property for uses permitted or permissible under its present zoning classification. N/A
-
-

10. The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment. N/A
-
-

11. The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under the present zoning classification.

N/A

12. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property. N/A

13. The community need for the proposed amendment and for the uses and development it would allow.

Staff feels that by clarifying "attached", it will minimize the number of interpretations and give much better direction in terms of the intent of the definition.

14. The reasons, where relevant, why the subject property should be established as part of an overlay district and the positive and negative effects such establishment could be expected to have on persons residing in the area. N/A
-
-