

**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
August 20, 2008**

1. Call to Order

Chairman Anglin called the meeting of the Zoning Board of Appeals to order on Wednesday, August 20, 2008, at 7:30 p.m., in Memorial Hall of the Memorial Building, 19 East Chicago Avenue, Hinsdale.

2. Roll Call

Present: Chairman Paul V. Anglin, Members Kim Angelo, John Callahan, John Richter, Bob Saigh and William Haarlow

Absent: Marc Connelly

Also Present: Building Commissioner Robb McGinnis, Staff Secretary Christine Bruton and Court Reporters Kathy Bono & Tara Zeno

3. Approval of Minutes – Regular Meeting of July 16, 2008

It was noted that an address was incorrectly recorded in the minutes; Secretary Bruton will make the correction.

Member Saigh moved to **approve the minutes of June 18, 2008, as amended**. Member Richter seconded the motion.

AYES: Members Haarlow, Callahan, Angelo, Richter, Saigh,
Chairman Anglin

ABSENT: Member Connelly

NAYS: None

Motion carried.

4. Receipt of Appearances

Attorney Peter Coules on behalf of the homeowners of 602 S. Lincoln.
All participants were sworn in at this time.

5. Receipt of Requests, Motions, Pleadings, or Requests to make Public Comment of a General Nature - None

6. Pre-Hearing and Agenda Setting - None

7. Public Hearings

a) 111 S. Lincoln, V-05-08

This variation was withdrawn per a letter dated August 15, 2008 by Attorney Matt Klein on behalf of his client.

b) 230 E. Ogden Avenue, V-07-08

Mr. Mike LeBeau, the general contractor for Michael James Development, addressed the Board. He outlined the request stating that this is a side yard setback request for a stairway on the inside front setback to encroach ten feet on the easterly edge of the property. They are renovating the existing building from 3,000 square feet to 8,000 square feet. This entails a redo of the 1,300 square foot first floor, the addition of two floors and a basement in the front of the building. It was confirmed that the Building Department agrees that height and FAR are in compliance. Mr. LeBeau explained that they are faced with a narrow piece of property; they are required to have a secondary access by code and it would be inappropriate in the front of the property. The west side is driveway ingress for property, therefore, they are restricted to the east side. It was confirmed by Mr. Saigh that the parcel is odd, but he asked if the driveway is required. Mr. LeBeau explained that an Ogden Avenue address is benefited by an Ogden Avenue entrance, additionally, it would be an encroachment on the driveway side, too, if the driveway wasn't there. This will be a covered exterior stairway no wider than 4'6". This is the minimum required by code, their objective being to make it as unobtrusive as possible.

There being no further discussion or questions; the public hearing was closed.

c) 522 Hickory Street, V-10-08

Per Mr. Klein's request, this item is continued to October.

d) 602 S. Lincoln, V-11-08

Mr. Coules, on behalf of the Awads, addressed the Board stating that §9-12-3 of the Village Code states that a side yard fence on a corner can be no higher than four feet, but that relief may be granted if there are practical difficulties or practical hardship. Presently, the properties to the west and north have put up stockade fences and 10' vegetation. Mr. Coules noted that this is an improved, well-traveled alley, and the homeowners are

concerned with light and the safety of children and pets. The proposed six foot fence is compatible with the style of house. Basically the hardship is safety; it is safer if people can see through the fence. Landscaped natural fencing is not discussed in the code at all. He stated that corner yards are treated differently because of sight lines. It was suggested that they could put up a four foot wrought iron fence. In response to how this relates to the Village's comprehensive plan, Mr. Coules said this conforms to safety, use, enjoyment and light as terms used in the comprehensive plan. A stockade fence is not the only fence option. The whole yard will be fenced at six feet; the only fence currently installed is on the southerly border. There will be no door opening to the alley. Mr. Saigh referenced another home on the alley with alternative fencing, however, Mr. Coules said it wouldn't provide the safety the homeowner is looking for. Mrs. Awad described the way the top of the fence would be finished. She described the aesthetics of the proposed fence and stated if they have a six foot fence they will go with low landscaping, but the area needs height.

There being no further discussion or questions; the public hearing was closed.

e) **827 Taft, APP-2-08**

Per Mr. Klein's request, this item is continued to October.

Zoning Board Deliberations

V-07-08 - 230 E. Ogden

Member Angelo moved to **approve the variation as requested for V-07-08, 230 E. Ogden Avenue**. Member Richter seconded the motion.

AYES: Members Haarlow, Callahan, Angelo, Richter, Saigh and
Chairman Anglin

ABSENT: Member Connelly

NAYS: None

Motion carried.

V-11-08 – 602 S. Lincoln

Member Callahan moved to **approve the variation as requested for V-11-08, 602 S. Lincoln.** Chairman Anglin asked the Board to consider this item carefully based on precedent, cautioned the Board to consider the implications of setting precedent in this matter. Discussion followed, the Board noted that a four foot fence would not be substantially different than a six foot fence and that a variance of this nature was approved on West Chicago Ave, however that was a preexisting fence on a heavily traveled street.

Member Angelo seconded the motion.

AYES: Member Callahan

ABSENT: Member Connelly

NAYS: Members Haarlow, Angelo, Richter, Saigh and Chairman Anglin

Motion denied.

8. New Business

a) **Approve Final Decision - 16 S. Monroe Street, V-06-08**

Member Angelo moved to **approve the Final Decision as written for V-06-08, 16 S. Monroe Street.** Member Callahan seconded the motion.

AYES: Members Haarlow, Callahan, Angelo, Richter, Saigh and
Chairman Anglin

ABSENT: Member Connelly

NAYS: None

Motion carried.

b) **Approve Final Decision - 323 E. Fourth Street, V-08-08**

Member Richter moved to **approve the Final Decision as written for V-08-08, 323 E. Fourth Street.** Member Saigh seconded the motion.

AYES: Members Haarlow, Callahan, Angelo, Richter, Saigh and
Chairman Anglin

ABSENT: Member Connelly

NAYS: None

Motion carried.

c) **Approve Final Decision - 325 Princeton Road, V-09-08**

The Board agreed after discussion of the content of this final decision, that it should be amended to include that a hardship is created by the three street frontages of the lot resulting in a unique lot configuration and a unique situation.

Member Angelo moved to **approve the Final Decision as amended for V-09-08, 325 Princeton Road**. Member Richter seconded the motion.

AYES: Members Haarlow, Callahan, Angelo, Richter, Saigh and
Chairman Anglin

ABSENT: Member Connelly

NAYS: None

Motion carried.

9. Unfinished Business

Staff Secretary Bruton informed the Board that the Village Attorney advised that if an applicant does not appear at a hearing, the application can be dropped from future agendas as abandoned. Chairman Anglin asked that a letter be written to the applicant stating such and that the application has been removed without prejudice.

10. Adjournment

With no further business coming before the Zoning Board of Appeals, Member Saigh made a motion to adjourn. Member Richter seconded the motion. Voice vote taken, all in favor, motion carried.

Chairman Anglin declared the meeting adjourned at 8:15 p.m.

Christine M. Bruton
ZBA Staff Secretary

Approved: _____