

**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
May 20, 2009**

1. Call to Order

Chairman Anglin called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, May 20, 2009 at 7:30 p.m. in Memorial Hall of the Memorial Building, 19 E. Chicago Avenue, Hinsdale, Illinois.

2. Roll Call

Present: Chairman Paul V. Anglin, Members John Callahan, Gary Moberly, William Haarlow, Debra Braselton and Marc Connelly

Absent: None

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

Chairman Anglin asked that all persons wishing to speak during the public hearing be sworn in by the court reporter.

3. Approval of Minutes –Regular Meeting of April 15, 2009

Chairman Anglin recommended that the Board postpone the approval of these minutes until former Board members could provide input on the content before the new Board members vote to approve. The minutes of the meeting of April 15, 2009 were forwarded to the June 17th meeting for approval.

4. Receipt of Appearances – Mr. Mark Irpino, homeowner, was present for V-01-09, 245 E. Chicago Avenue

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

6. Pre-Hearing and Agenda Setting

Chairman Anglin noted that a new application has been submitted to the Board with the owner has requested that the pre-hearing and Agenda Setting step be waived. He explained that the pre-hearing process is not set by statute, and the intent is that the applicant can correct any deficiencies before the public hearing. Mrs. McCarthy has asked that this be waived in the matter of her garage foundation. Chairman Anglin asked if the Board is interested in accommodating the waiving of pre-hearing in

the case of V-02-09. Member Callahan moved to **waive the pre-hearing of V-02-09 and conduct the Public Hearing at the June 17, 2009 meeting**. Member Connelly seconded the motion.

AYES: Members Moberly, Haarlow, Braselton, Connelly, Callahan, Chairman Anglin

NAYS: None

ABSENT: None

Motion carried.

7. Public Hearings

a) **245 E. Chicago Avenue, V-01-09**

Chairman Anglin called the Public Hearing to order and explained that it was discovered after last year's approval that the survey was incorrect and it was not possible to place the garage as originally requested and approved. He felt circumstances were different enough to bring the item back to the Z.B.A. for reconsideration. Mr. Irpino addressed the Board and explained the differences between the surveys and that the architects, the Z.B.A. and he had all relied on the faulty survey which would have placed his garage on the property of the Burlington Northern. There is about an 8' difference and the garage needs to be placed 3' closer to the curb. Their goal was not to back out onto Chicago Avenue, it is a dangerous maneuver. Chairman Anglin noted the unusual lot configuration and backing out onto Chicago Avenue was the basis for the original approval. Member Moberly asked about the trees, to which Mr. Irpino responded he has a tree preservation plan. There are two oak trees on the parkway that will be saved by cutting straight down thru the roots, in effect, pruning the roots. Member Haarlow asked about the height of the garage and Mr. Irpino explained it will be taller than the existing garage to provide the family with much needed additional storage. The proposed garage is 20' tall; the code provides for an average of 15', the current garage is 14'. The Z.B.A. approved the 20' garage last time. Mr. Irpino explained that when Building Commission Robb McGinnis had asked for a topographical survey, a different surveyor was used and they caught the error in the original survey. Chairman Anglin asked if any alternatives were looked at to reduce the request, Mr. Irpino said they had thought about moving the driveway, but they want to beautify the property, too. He also noted the many letters of support for the project sent by his neighbors.

The public hearing was closed.

Deliberations V-01-09

Chairman Anglin asked the Board for comments or questions. Member Braselton asked for clarification regarding the original final decision and the front yard setback amounts. Mr. McGinnis explained the 37.99 block average taken on Chicago Avenue and the resulting non-self-created hardship. Member Haarlow noted this was approved in December; the only change is the survey, which results in placing the garage modestly closer to curb. The compelling reasons to approve the request have not changed. Member Haarlow moved **to approve V-01-09, 245 E. Chicago Avenue, as requested.** Member Callahan seconded the motion. Chairman Anglin noted for the record that the permit must be applied for within a year of the granting of the variation and that the approval does not transfer with the property.

AYES: Members Moberly, Haarlow, Braselton, Connelly, Callahan, Chairman Anglin

NAYS: None

ABSENT: None

Motion carried.

8. New Business

Member Haarlow acknowledged that this was the first meeting with new Members Braselton and Moberly. He also thanked former Members John Richter, Kim Angelo and Bob Saigh for their fine service on the Z.B.A. Their contributions were greatly appreciated.

9. Unfinished Business – None

10. Adjournment

There being no further business before the Zoning Board of Appeals, Member Callahan moved **to adjourn the meeting of May 20, 2009.** Member Haarlow seconded the motion. Voice vote taken, all in favor, motion carried.

Chairman Anglin declared the meeting adjourned at 8:00 p.m.

Christine M. Bruton
ZBA Staff Secretary

Approved: _____