

**VILLAGE OF HINSDALE
ZONING BOARD OF APPEALS
MINUTES OF THE MEETING
July 15, 2009**

1. Call to Order

Chairman Anglin called the regularly scheduled meeting of the Zoning Board of Appeals to order on Wednesday, July 15, 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 Gary Moberly, William Haarlow, Debra Braselton, Marc Connelly and John Callahan

Absent: None

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

3. Approval of Minutes –Regular Meeting of June 17, 2009

Member Moberly **moved approval of the Regular Meeting of April 15, 2009 and Regular Meeting of May 20, 2009.** Member Callahan seconded the motion.

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

NAYS: None

ABSENT: None

Motion carried.

4. Receipt of Appearances – None

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) 5526 S. Washington, V-03-09

Mr. Tom Angell, homeowner, addressed the Board on the matter of his side yard setback variation request. He would like to rebuild his garage

in the current location which does not meet current setback requirements. He outlined three alternative options: 1. Push the garage to the last 20% of the property at the far west end. This would more than double the driveway area and further exacerbate existing flooding problems. This would result in the loss of permeable ground cover and a fair number of trees. The look of the house and the view of the yard would change dramatically. 2. Move the garage to the south. This would encroach on the house and the driveway would be 11 feet away from the deck making it difficult to enter and exit the garage. More concrete would be required and the existing patio would have to be cut away. This would change the dynamic of the house and the view from the house. 3. Have the concrete sawcut and prop up the walls, but this is not a good option. The contractor did an investigatory dig of the slab and it does not have a proper footing, and would result in a structurally inferior product. Mr. Angell explained that he has talked to the neighbors who all endorse the project.

As a result of questions by the Board, Mr. Angell stated that the new garage will be essentially the same size as the old one and that underground hose and downspouts on the west end will move water away from the property.

Mr. Dave Shook of 5530 S. Washington addressed the Board stating that the Angell's have greatly improved the home and that the flooding is substantial and the trees are valuable. He has looked at their options and supports the project.

Mr. Steve Mihelich of 5512 S. Washington, on behalf of his father, stated that he is in favor of the project. There is a definite drainage problem. The Angell's have communicated well their plans with his father and they have his support.

There being no further testimony, Chairman Anglin closed the public hearing.

8. New Business – None

Deliberation V-3-09

Chairman Anglin asked for comments and commented that he doesn't like the precedence this matter sets. Member Moberly noted that other new homes in the area have installed their garage by code. Clarification of the difference between new construction and old homes followed. Member Haarlow stated

that there are a lot of garage movement requests. He is concerned that over time we erode the setbacks the code requires. The pictures are a compelling case, but it is an issue in much of the Village. Previous justification in the past has been the trees because they hold a lot of ground water. He believes that in this case, it is not a particular hardship, but a general one and something of a grey area. Member Connelly remarked his concern that the vintage patio would need to be destroyed; this would not be desirable. Member Callahan acknowledged the precedent aspect, but believes individuals know what is best for their property when there is a minor change and the neighbors are ok with the garage where it has always been. Member Callahan **moved to approve the variation request for 5526 S. Washington, known as V-3-09.** Member Connelly seconded the motion.

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

NAYS: None

ABSENT: None

Motion carried.

Chairman Anglin reminded him that there is a one year limit to the decision.

9. Unfinished Business

a) Approve Final Decision for 541 N. Washington Street, V-02-09

Member Haarlow moved to **approve the Final Decision for 541 N. Washington Street, V-02-09.** Member Callahan seconded the motion.

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

NAYS: None

ABSENT: None

Motion carried.

Chairman Anglin asked about approving V-03-09 tonight so that the applicant could begin building as there would be no August meeting. Ms. Bruton explained that in the past, the findings of the Board would be read into the record and approved immediately. Chairman Anglin outlined the parameters of the Board's approval: granting a reduction in the side yard from 7.5' feet to 3.9' feet for the construction of a new detached garage in the location of the existing detached garage. The Board reviewed alternatives finding all less favorable given water conditions and flooding problems therefore creating a

hardship. All other alternatives create additional impervious surface.

Member Braselton **moved to approve the final decision of V-03-09 as outlined by Chairman Anglin.** Member Moberly seconded the motion.

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

NAYS: None

ABSENT: None

Motion carried

10. Adjournment

With no further business coming before the Zoning Board of Appeals, Member Callahan made a motion to **adjourn the meeting of the Zoning Board of Appeals of July 15, 2009.** Member Connelly seconded the motion. Voice vote taken, all in favor, motion carried.

Chairman Anglin declared the meeting adjourned at 8:08 p.m.

Christine M. Bruton
ZBA Staff Secretary

Approved: _____