

Village of La Grange



VILLAGE BOARD MEETING

MONDAY, JULY 14, 2008

7:30 p.m.

Village Hall Auditorium

53 S. La Grange Road

La Grange, IL 60525

Elizabeth M. Asperger
Village President

Robert N. Milne
Village Clerk

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

AGENDA

Monday, July 14, 2008 – 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL
*President Elizabeth Asperger
Trustee Mike Horvath
Trustee Mark Kuchler
Trustee Mark Langan
Trustee Tom Livingston
Trustee James Palermo
Trustee Barb Wolf*
2. PRESIDENT'S REPORT
This is an opportunity for the Village President to report on matters of interest or concern to the Village.
3. PUBLIC COMMENTS REGARDING AGENDA ITEMS
This is the opportunity for members of the audience to speak about matters that are included on this Agenda.
4. OMNIBUS AGENDA AND VOTE
Matters on the Omnibus Agenda will be considered by a single motion and vote because they already have been considered fully by the Board at a previous meeting or have been determined to be of a routine nature. Any member of the Board of Trustees may request that an item be moved from the Omnibus Agenda to Current Business for separate consideration.
 - A. Ordinance – Variation – Side Yard Regulations For Accessory Structures / William Hoekwater, 229 S. Brainard
 - B. Ordinance – Design Review Permit (DRP) #74, 71-75 South La Grange Road, Fifth Avenue Property Management / Lawrence Brannen
 - C. Award of Contract – Sewer Televising
 - D. Purchase – Ambulance Replacement
 - E. Resolution – Cook County Interoperable Communication System

- F. Award of Contract - Purchase of Digital Recording Device For Communication Center
- G. Ordinance – Disposal of Surplus Property
- H. Consolidated Voucher 080623
- I. Consolidated Voucher 080714
- J. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, June 9, 2008

5. CURRENT BUSINESS

This agenda item includes consideration of matters being presented to the Board of Trustees for action.

- A. Ordinance – Variation – Maximum Gross Floor Area of a Detached Garage / Joan and Kurt Hoigard, 345 S. 6th Avenue: *Referred to Trustee Horvath*

6. MANAGER'S REPORT

This is an opportunity for the Village Manager to report on behalf of the Village Staff about matters of interest to the Village.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

This is an opportunity for members of the audience to speak about Village related matters that are not listed on this Agenda.

8. EXECUTIVE SESSION

The Board of Trustees may decide, by a roll call vote, to convene in executive session if there are matters to discuss confidentially, in accordance with the Open Meetings Act.

9. TRUSTEE COMMENTS

The Board of Trustees may wish to comment on any matters.

10. ADJOURNMENT

The Village of La Grange 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 so that they can observe and/or participate in this meeting, or who have questions, regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (708) 579-2315 promptly to allow the Village to make reasonable accommodations for those persons.

OMNIBUS VOTE

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Director, Community Development

DATE: July 14, 2008

RE: **ORDINANCE - VARIATION - SIDE YARD REGULATIONS FOR
ACCESSORY STRUCTURES/WILLIAM HOEKWATER, 229 S. BRAINARD**

William Hoekwater, owner of the property at 229 S. Brainard, has applied for variation from side yard requirements for accessory structures in order to replace a detached garage in the rear northeast corner of his property. According to the petitioner, the existing garage is 80 years old, unsound and the insurance company is requiring replacement. The subject property is located in the R-4 Single Family District. The property in question is slightly larger than typical properties between Brainard and Kensington, and Maple to Cossitt with a 60-foot width (typical lots are 50 feet wide).

Accessory structures must be setback a minimum of three (3) feet from the side and rear lot lines. Currently, the detached garage is located 0.75 ft from the north side lot line and 1.25 feet from the rear lot line. According to the petitioner, the space is already tight to pull vehicles into the garage. If he were to move the garage forward to 3 ft. from both lot lines, ingress/egress would be more difficult. He proposes to locate the new garage 3 feet from the rear lot line but keep its present location on the north side (0.75 feet from the lot line). Therefore, he has requested a variation of 2.25 feet from the side setback (north lot line). Subparagraph 14-303E1 (a) (Authorized Variations) allows the reduction of any required yard setback. The requested variation falls within the authorized limits of the Zoning Code.

On June 19, 2008, the Zoning Board of Appeals held a public hearing on this matter and voted unanimously to recommend that the variation be granted as requested.

Commissioners felt that the location of the house and driveway approximately five feet from the north lot line creates a hardship and a unique situation. An existing 1.5 feet easement to the north of the driveway allows access to the garage and effectively increases the setback of the proposed garage. One alternative option for better access into the garage would be placement of the garage on the opposite corner of the lot. However this remedy would require removal of parkway trees, construction of a new curb cut as well as driveway removal and replacement.

Staff has prepared the attached ordinance authorizing the variation for your consideration.

4-A

VILLAGE OF LA GRANGE

ORDINANCE NO. O-08-_____

AN ORDINANCE GRANTING A ZONING VARIATION
FOR CONSTRUCTION OF A DETACHED GARAGE
AT 229 S. BRAINARD AVENUE

WHEREAS, William Hoekwater is the owner (the "Owner") of the property commonly known as 229 S. Brainard Avenue, La Grange, Illinois, and legally described as follows:

The north 43 feet of the west 125 feet of Lot 15 and the south 17 feet of the west 125 feet of Lot 16 in Block 5 in Lay and Lyman's subdivision of the west ½ of the southwest ¼ of Section 4, Township 38 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois, together with an easement for ingress and egress over and across the south 18 inches of the north 33 feet of the west 125 feet of Lot 16 in Block 5 aforesaid.

(the "Subject Property"); and

WHEREAS, the Owner has applied for a variation from the side yard required for accessory structures by Paragraph 3-110-G9 of the La Grange Zoning Code in order to construct a detached garage on the Subject Property; and

WHEREAS, the La Grange Zoning Board of Appeals conducted a public hearing to consider the application on June 19, 2008, pursuant to proper public notice, and recommended in its Findings and Recommendation dated June 19, 2008, that the variation be approved; and

WHEREAS, the President and Board of Trustees have reviewed the record of the public hearing and the Findings and Recommendation of the Zoning Board of Appeals and have determined that the application satisfies the standards set forth in the La Grange Zoning Code for the grant of a variation;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Grant of Variation. The Board of Trustees, pursuant to the authority granted to it by the laws of the State of Illinois and the La Grange Zoning Code, hereby grants to the Owner a variation from the side yard standard for accessory structures of Paragraph 3-110-G9 of the La Grange Zoning Code to reduce the side yard required on the Subject Property by two and one half (2.5) feet for a detached garage, subject to all of the following conditions:

4-A.1

- A. The variation is granted only to authorize construction of 22 feet by 22 feet detached garage in substantial conformity with the design drawings and site plan attached to this Ordinance as Exhibit A (the "Approved Design"). The permit drawings to be prepared by the Owner must conform to the Approved Design.
- B. If the garage is constructed in violation of any term or condition of this Ordinance, then the Village may order the garage to be demolished and may rescind the approval granted by this Ordinance.

Section 3. Effective Date. This Ordinance will be in full force and effect from and after (a) its passage, approval, and publication in pamphlet form as provided by law, (b) execution by the Owner, and (c) approval by the Village's Director of Community Development of conforming plans for the garage as required by Subsection 2A of this Ordinance.

PASSED this ____ day of _____ 2008, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this ____ day of _____ 2008.

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

4-A.2

FINDINGS OF FACT

ZONING BOARD OF APPEALS
OF THE
VILLAGE OF LA GRANGE

June 19, 2008

President Asperger and
Board of Trustees

RE: **ZONING CASE #571 - VARIATION – SIDE YARD REGULATIONS FOR
ACCESSORY STRUCTURES, WILLIAM HOEKWATER, 229 S. BRAINARD.**

The Zoning Board of Appeals transmits for your consideration, its recommendations for a request of zoning variation necessary to construct a detached garage at 229 S. Brainard.

I. THE SUBJECT PROPERTY:

The subject property in question is a residential lot, 60 foot width and a depth of 125 feet.

II. CHARACTERISTICS OF THE SURROUNDING AREA:

The subject property is located in the R-4 Single Family Residential District.

III. VARIATIONS SOUGHT:

The applicant seeks a variation from Paragraph 3-110G9 (Side Yard Regulations for Accessory Structures) of the Village of La Grange Zoning Code by 2.25 feet. Sub Paragraph 14-303E1(a) Authorized Variations, allows the reduction of any required yard setback. The requested variation falls within the authorized limits of the Zoning Code.

IV. THE PUBLIC HEARING:

After due notice, as is required by law, (including legal publication, posting at the subject property and courtesy notices to owners within 250 feet of the subject property) the Zoning Board of Appeals held a public hearing on the proposed variation in the La Grange Village Hall Auditorium on June 19, 2008. Present were Commissioners Nathaniel Pappalardo, Rosemary Naseef, Nancy Pierson, Ian Brenson, Charles Benson, Jr. (arrived at 7:35 p.m.) and Chairperson Ellen Brewin presiding. Also present was Assistant Community Development Director Angela Mesaros and Village Trustee Jim Palermo. Testimony was given under oath by the applicants. No objectors appeared at the hearing and no written objections have been filed to the proposed variation.

Chairperson Brewin stated, for the record that two members of the Zoning Board live within 250 feet of the property and have received legal notice of this hearing. They are herself and Commissioner Brenson. Neither Commissioner believed that the case presented a conflict

4-A.3

of interest for themselves. Petitioner was asked about this as well and did not indicate any concerns with the two Commissioners hearing the case.

Chairperson Brewin swore in William Hoekwater, owner of the property at 229 S. Brainard, who presented the application and answered questions from the Commissioners:

- Mr. Hoekwater stated that his insurance company is requiring replacement of an existing 80 year-old detached garage, which is unsound.
- The existing garage is eighteen feet wide and nineteen and one half feet deep. He wishes to construct a new twenty-two feet wide by twenty-two feet deep garage.
- The existing garage is located closer to the lot lines than the required three feet. The new garage would be in the same location regarding the north property line, which is 0.75 feet from the property line, however, it would be set back from the rear property line the required three feet.
- The home as it is located, is set much closer to the rear yard and to the north lot line than usual. The width and location prohibits maneuvering a car into the garage. The driveway is located only seven feet wide between his house and the neighbor's yard. The home and existing garage were built about 1928 prior to the enactment of the current zoning regulations and the home and garage are currently non-conforming, but legal, structures.
- There is an existing one and a half-foot easement along the north property line to accommodate Mr. Hoekwater's driveway. This is to allow the passage of a vehicle to the back of the property.

Chairperson Brewin solicited questions from the Commissioners:

- Commissioner Naseef asked about other options available, specifically whether Mr. Hoekwater could move the garage to the other corner of the property. Answer: This would involve the removal of trees in the parkway and another older tree. In addition, there is a carriage house on the neighbor's property to the south that restricts use of that side of the property. Moving the garage would involve the cost of removing and replacing the driveway as well as a new curb cut.

Under the provisions of the Zoning Ordinance, no variation shall be granted unless the applicant establishes that carrying out the strict letter of the provisions of this code would create a particular hardship or practical difficulty. Such a showing shall require proof that the variation sought satisfies certain conditions. The following facts were found to be evident:

4-A.4

1. Unique Physical Condition:

This zoning lot is typical of most single lots in the R-4 Single Family Residential Zoning District between Brainard and Kensington and Maple to Cossitt. However, the lot width of 60 feet is slightly larger than typical lots in most of La Grange are 50 feet wide. The depth of the property, 125 feet is typical of the smallest lots in the Village. In addition, the location and shape of the house is closer to the garage, driveway and northern lot line than is typical and preclude the passage of a car to the rear without an easement from the neighbors to the north. This is a pre-existing condition that appears to predate the Zoning Code. The Zoning Code gives guidance as to how the Zoning Board is to determine ‘unique physical condition’ as a matter of fact. Generally, the condition should arise from the property itself. There can be a finding of a unique situation, however, even if it does not arise from the land itself, if there is “an existing use, structure or sign, whether conforming or non-conforming . . .” that would create a hardship for petitioner. The home and the garage so close to the northern lot line are such existing structures that create a hardship and support the finding of a unique physical condition.

2. Not Self-Created:

According to the petitioner, the house, driveway and garage were constructed in the current location on the property in 1928. The petitioner has made no changes to the property that would impact the location of the garage. The garage is structurally unsound and needs replacement.

3. Denied Substantial Rights:

A two-car garage is a right enjoyed by many residents in La Grange for automobiles and storage. The petitioner wishes to enjoy the same rights as the neighbors and other village residents. The Zoning Code requires a minimum of two parking spaces for single-family residences.

4. Not Merely Special Privilege:

The petitioner seeks only to construct a two-car detached garage, which would be similar in to many garages in La Grange. The proposed garage would be smaller than the maximum allowable gross floor area, 600 square feet, for a garage on a zoning lot similar to the petitioner’s property.

5. Code and Plan Purposes:

The Zoning Code requires two parking spaces for every single-family residence, and the Village does not allow overnight parking on the street. Therefore, the petitioner seeks a variance to construct a garage in which to park two vehicles. The proposed garage would

4-A.5

be 484 square feet, which is smaller than the maximum allowable gross floor area, 600 square feet, for a garage on zoning lots the size of the petitioner's property.

6. Essential Character of the Area:

A two-car detached garage is in character with the surrounding area.

7. No Other Remedy:

According to the petitioner, without the setback variation, the garage would be located too close to the house and create difficult access for parking cars. It would be almost impossible to exit the garage if sited as required by the Zoning Code. However, the Zoning Code only requires a maximum of ten feet setback between principal and accessory structures. With the required 3 ft. setback, the petitioners' garage would be 23 feet from the house. The size of the garage requested will materially assist in the maneuvering process involved in exiting cars from the garage and down the driveway.. The petitioner believes that moving the garage to the other corner of the lot would diminish the character of the lot by replacing green space with pavement and be prohibitively expensive.

V. FINDINGS AND RECOMMENDATION:

- Chairperson Brewin stated that the easement indicates a hardship on the property.
- Commissioner Naseef stated that while on paper the garage looks fine from the house; however, the location of the driveway and the house creates a unique situation. This is not merely a special privilege, because any other remedy would not be reasonable and the garage would not encroach into the rear yard.
- Commissioner Pierson stated that the easement establishes a hardship due to the need for space to access the garage.
- Commissioner Pappalardo stated that due to the easement of one and a half feet to the north, in effect, add additional space to the setback.

There being no further questions or comments from the audience or the Commissioners, a motion was made by Commissioner Pappalardo and seconded by Commissioner Pierson that the Zoning Board of Appeals recommend to the Village Board of Trustees approval of the application submitted with ZBA Case #571.

Motion Carried by a roll call vote (6/0/1).

AYE: Pappalardo, Pierson, Benson, Brenson, Naseef and Brewin.
NAY: None.

4-A.6

ABSENT: Schwappach.

BE IT THEREFORE RESOLVED that the Zoning Board of Appeals recommend approval to the Village Board of Trustees of the variation from Paragraph 3-110G9 (Side Yard Regulations for Accessory Structures) of the Village of La Grange Zoning Code by 2.25 feet.

Respectfully submitted:

Zoning Board of Appeals of the
Village of La Grange

BY: 
Ellen Brewin, Chairperson

4-A.7

STAFF REPORT

CASE: ZBA #571 - William Hoekwater, 229 S. Brainard - Side & Rear Yard Regulations for Accessory Structures

BACKGROUND

(Note: This Staff Report is solely based on information presented in the application and on a physical inspection of subject property and environs, and is not influenced by any other circumstance.)

The petitioner, William Hoekwater, wishes to construct a 22 ft. by 22 ft. (484 square feet) two-car detached garage in the rear yard of the property at 229 S. Brainard Avenue. The existing detached garage is currently setback approximately 0.75 ft. from the side (north) lot line and 1.25 feet from the rear (east) lot line. According to the Zoning Code, the side and rear yard setbacks required for detached accessory structures is 3 ft. In order to construct a new, larger garage in the same location, the petitioner seeks a variation from Paragraph 3-110-G9 (Side and Rear Yard Regulations for Accessory Structures) of the Zoning Code. The detached garage would encroach into the required side yard setback of 3 ft. by 2.25 ft. Subparagraph 14-303E1 (a) (Authorized Variations) allows the reduction of any required yard setback. The requested variation falls within the authorized limits of the Zoning Code.

VARIATION STANDARDS

In considering a variation, be guided by the General Standard as outlined in our Zoning Code that "No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection."

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, or 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 owner of the lot."*

This zoning lot is typical of most single lots in the R-4 Single Family Residential Zoning District between Brainard and Kensington and Maple to Cossitt. However, the lot width of 60 feet is slightly larger than typical lots in most of La Grange are 50 feet wide. The depth of the property, 125 feet is typical of the smallest lots in the Village. In addition, the location and shape of the house is closer to the garage than is typical.

Not Self-Created - *"The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the*

4-A.8

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."

According to the petitioner, the house, driveway and garage were constructed in the current location on the property in 1928. The petitioner has made no changes to the property that would impact the location of the garage.

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."*

A two-car garage is a right enjoyed by many residents in La Grange for automobiles and storage. The petitioner wishes to enjoy the same rights as the neighbors and other village residents. The Zoning Code requires a minimum of two parking spaces for single-family residences.

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."*

The petitioner seeks only to construct a two-car detached garage, which would be similar in size to many garages in La Grange. The proposed garage would be smaller than the maximum allowable gross floor area, 600 square feet, for a garage on a zoning lot similar to the petitioner's property.

Code and Plan Purposes - *"The variation would not result in a use or development of the subject property that would be not 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."*

The Zoning Code requires two parking spaces for every single-family residence, and the Village does not allow overnight parking on the street. Therefore, the petitioner seeks a variance to construct a garage in which to park two vehicles. The proposed garage would be 484 square feet, which is smaller than the maximum allowable gross floor area, 600 square feet, for a garage on zoning lots the size of the petitioner's property.

Essential Character of the Area - *"The variation would not result in a use or development on the subject property that:*

4-A.9

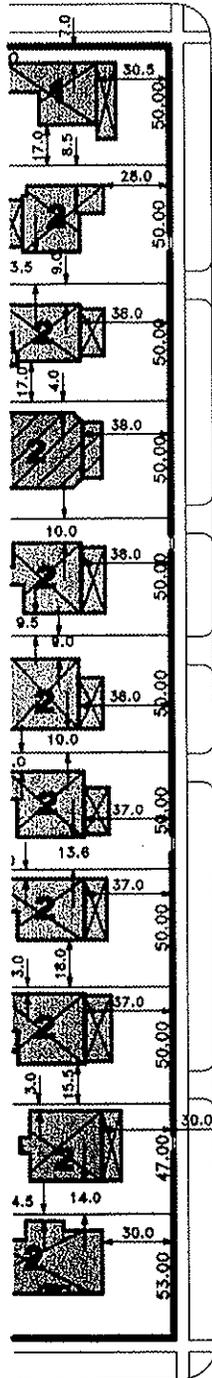
- a. *Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity;*
or
- b. *Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
- c. *Would substantially increase congestion in the public streets due to traffic or parking; or*
- d. *Would unduly increase the danger of flood or fire; or*
- e. *Would unduly tax public utilities and facilitates in the area; or*
- f. *Would endanger the public health or safety."*

A two car detached garage is in character with the surrounding area.

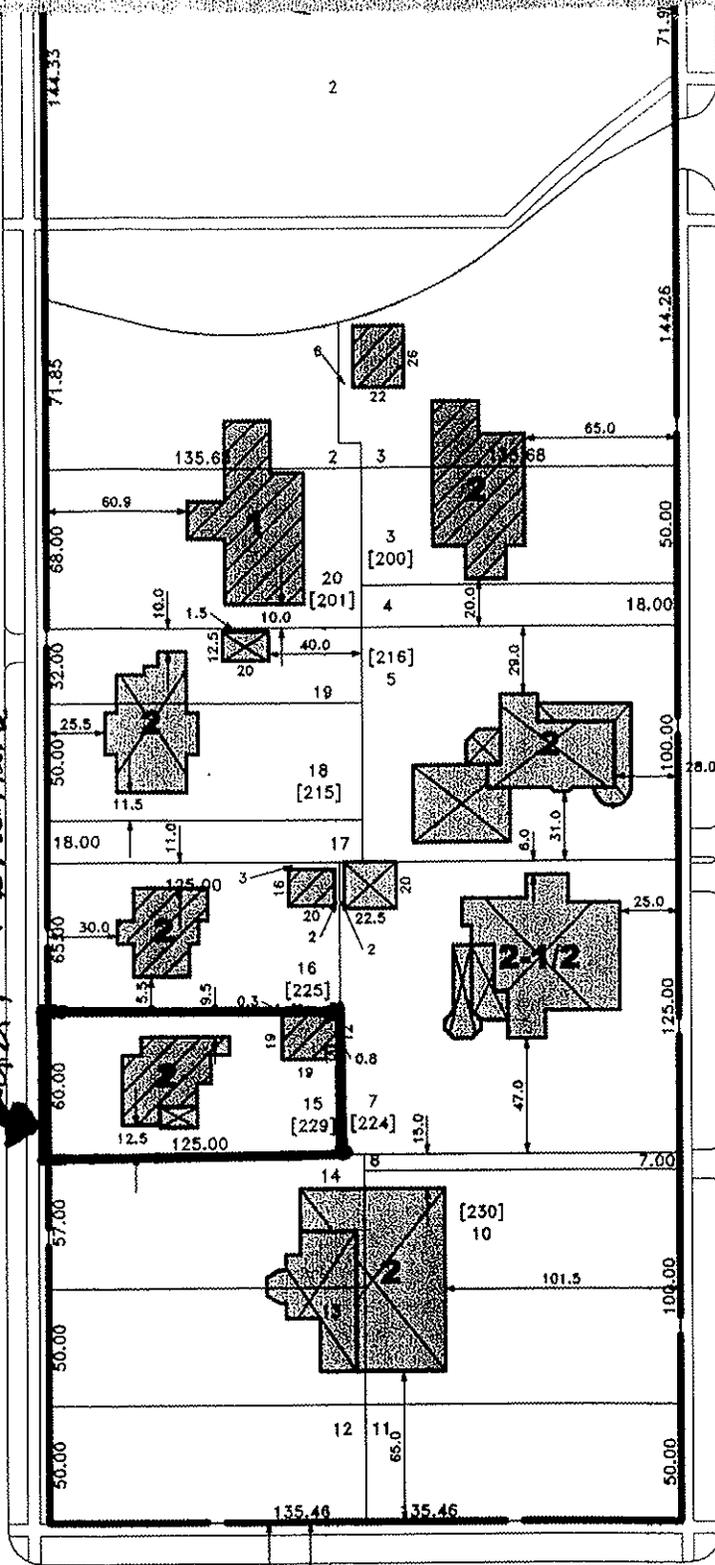
No Other Remedy - *"There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property."*

According to the petitioner, without the setback variation, the garage would be located too close to the house and create difficult access for parking cars. However, the Zoning Code only requires a maximum of ten feet setback between principal and accessory structures. With the required 3 ft. setback, the petitioners' garage would be 23 feet from the house. The petitioner believes that moving the garage to the other corner of the lot would diminish the character of the lot by replacing green space with pavement.

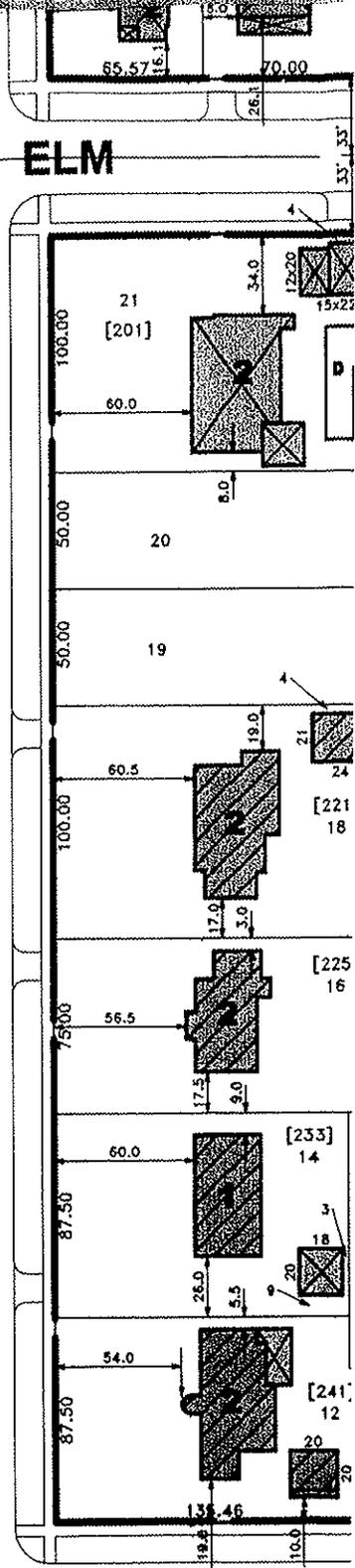
4-A.10



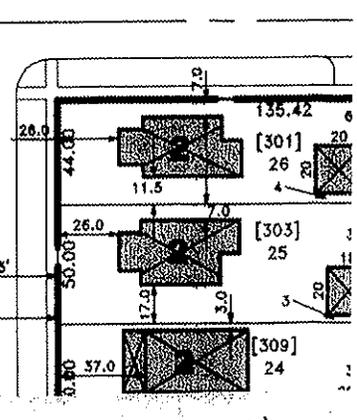
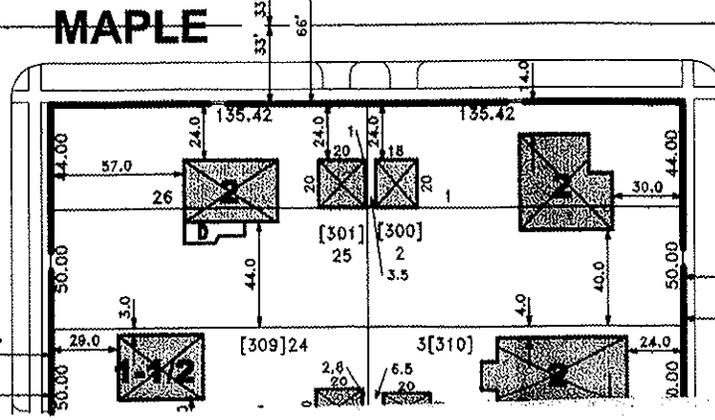
BRAINARD
229 S. Brainard



STONE

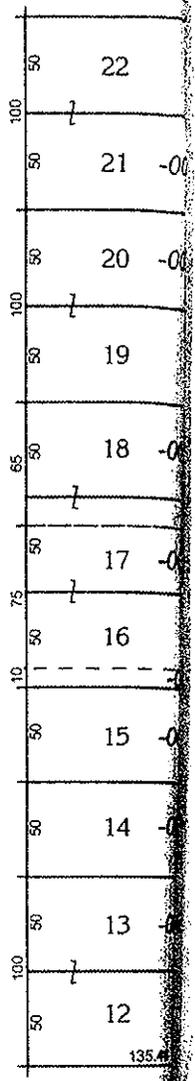
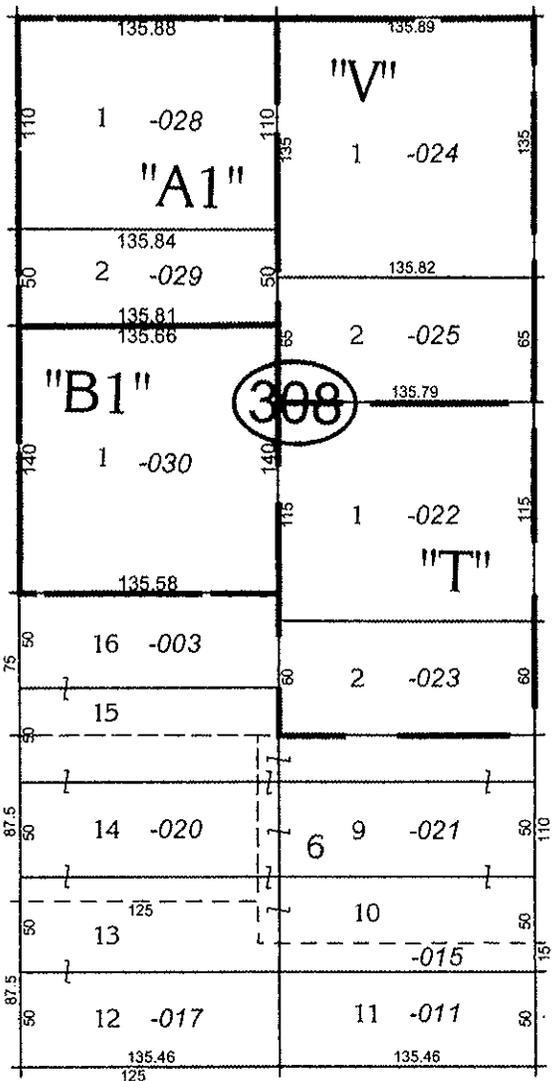
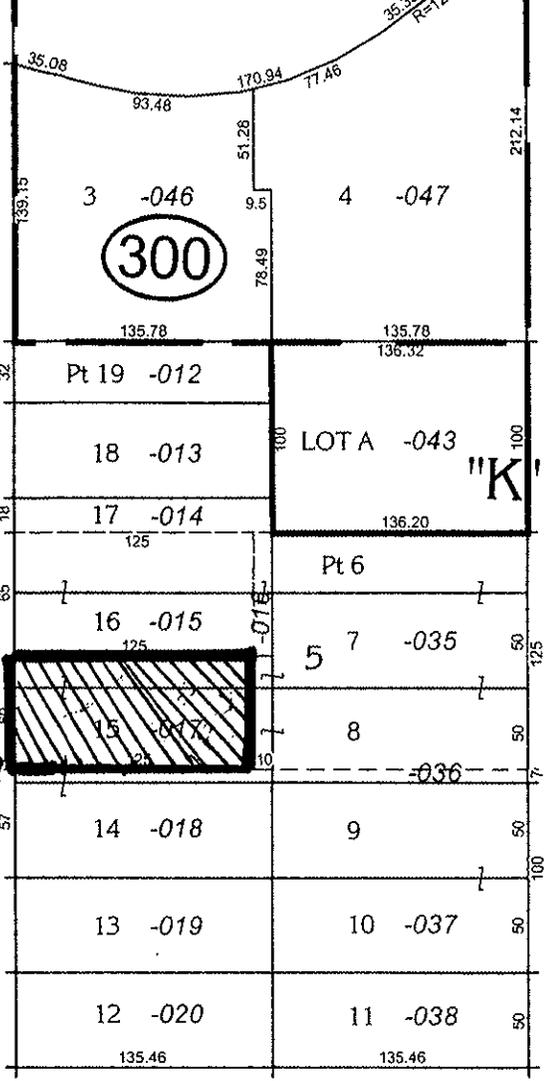


ELM

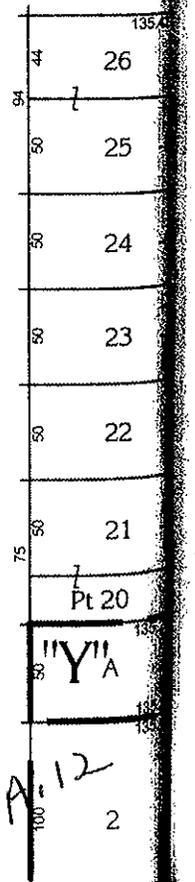
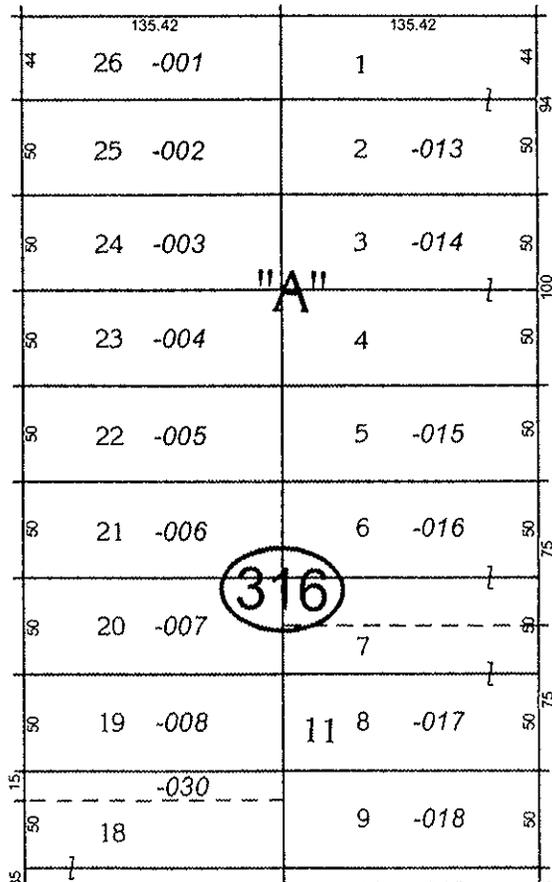
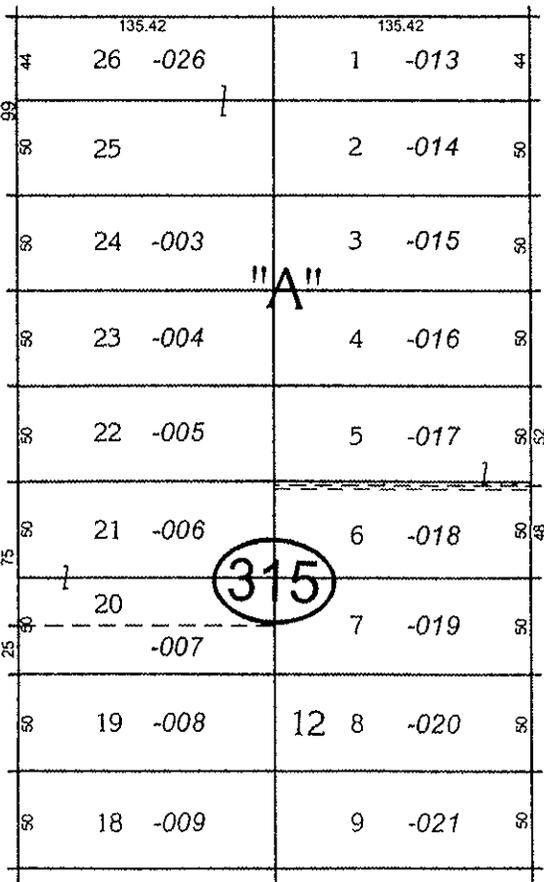


4-A.11

Gay S. Brannard



Maple



BRAINARD AVE

STONE AVE

WAIOLA AVE

4-A-12

APPLICATION FOR ZONING VARIATION

Application # 571
Date Filed: 5-15-08
UARCO # 85261

TO THE PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF LA GRANGE, ILLINOIS

(please type or print)

Application is hereby made by

William Hoekwater

Address:

229 S. Brainsd Ave

Phone:

708/354-0144

Owner of property located at:

same

mobile 630/334-0155

Permanent Real Estate Index No:

18-04-300-07-0000

Present Zoning Classification:

R4

Present Use:

Single Family Residence

Ordinance Provision for Variation from Article # 3-110, 69 of Zoning Ordinance, to wit:

side and rear yard regulations for

accessory uses + structures

A. Minimum Variation of Zoning requirement necessary to permit the proposed use, construction, or development:

2.25 Feet using existing northern edge

B. The purpose therefor,

construction of new detached

garage

C. The specific feature(s) of the proposed use, construction, or development that require a variation:

side yard setback to the north

4-A-13

PLAT OF SURVEY must be submitted with application. The plat should show any existing buildings on the petitioned property as well as any existing buildings on property immediately adjacent. It should also show any proposed new construction in connection with the variation, including landscaping, fencing, etc.

1. General Standard. The Petitioner must list below **FACTS AND REASONS** substantially supporting each of the following conclusions or the petition for variation cannot be granted. (if necessary, use additional page)

Please see attached.

a. State **practical difficulty** or **particular hardship** created for you in carrying out the strict letter of the zoning regulations, to wit: _____

b. A reasonable return or use of your property is not possible under the existing regulations, because: _____

c. Your situation is unique (not applicable to other properties within that zoning district or area) in the following respect(s): _____

2. 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, or 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 owner of the lot.

See attached

4-A.14

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title 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

(see attached)

4. 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.

(see attached)

5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely 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.

(see attached)

6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would be not 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.

(see attached)

4-A-15

7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:

- (a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or
- (b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
- (c) Would substantially increase congestion in the public streets due to traffic or parking; or
- (d) Would unduly increase the danger of flood or fire; or
- (e) Would unduly tax public utilities and facilities in the area; or
- (f) Would endanger the public health or safety.

see attached

8. 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 property.

see attached

* * *

NOTICE: This application must be filed with the office of the Community Development Director, accompanied by necessary data called for above and the required filing fee of Five Hundred Dollars (\$500.00).

The above minimum fee shall be payable at the time of the filing of such request. It is also understood that the applicant shall reimburse the Village any additional costs over and above these minimums which are incurred by the Village, including but not limited to the following:

- (a) Legal Publication (direct cost);
- (b) Recording Secretarial Services (direct cost);
- (c) Court Reporter (direct cost);

4-A.16

Application for Zoning Variation

William Hoekwater

229 S. Brainard Ave.

708.354.0144

1) General Standard

- a. Requiring a 3' setback and not allowing me to use the existing northern line of the existing garage would severely impede, if not deny use, of the new two car garage.
- b. Due to the location of the home on the property and the shape of the home, most notably the northeast corner of the home, locating a garage 3' from the north edge of the property will not allow a vehicle to safely navigate the driveway, to move vehicles in and out of the garage if a vehicle is already parked in the garage, or if one is parked in the driveway.
- c. My home location and shape of the home, prevent me from having the garage too far centered (to the south) on the property and would not adequately allow safe or adequate space to allow passenger vehicles to use the garage and navigate the driveway around the home.

2) Unique physical condition

The location of the home and driveway, which is located on the north side of the property, would limit accessibility of a garage if moved. Also, a large tree on the eastern edge of the property would have to be removed.

3) Not Self-Created

The garage is quite old and seems to have been located here 'forever.' Also, the home, driveway, and garage were all likely built/placed when the house was built in 1928.

4) Denied Substantial Rights

Moving the garage would deny me the right to a usable 2 car garage. Not allowing an accessible driveway would deny me and future owners the ability to park and store vehicles. A car can simply not navigate into and out of the garage if existing space is not utilized properly. I or anyone else, can hardly be expected to build a garage that is not usable for its intended purpose. A denial would severely hurt my property value when I go to sell my property in the future.

4-A.18

5) Not Merely Special Privilege

A garage should be safely and easily accessible without undue inconvenience or risk to home, garage, or vehicles. A rebuilt garage should accommodate all popular vehicles.

6) Code and Plan Purposes

I simply seek to utilize the existing northern edge of the current structure. The new structure will be no closer to my neighbor to the north and I can observe the 3' setback to the rear (east) of my property.

7) Essential character of Area

- a) The new structure would enhance and maintain the current standards of the neighborhood replacing the existing, potentially unsafe, and worn structure.
- b) The new structure would be similar to the existing one.
- c) Would reduce traffic congestion and street parking. Not allowing the variance would require increased street parking and the maneuvering of cars in and out of the driveway onto Brainard to switch cars or allow one or the other in and out. A very complicated hassle that would impede traffic on Brainard and require the use of street parking often.
- d) N/A.
- e) The garage would not tax public utilities or facilities.
- f) Increase safety of vehicles and existing home (structure) if allowed the space to adequately maneuver.

8) No Other Remedy

The existing driveway is on the north side of the property. The front and side doors are both on the north side of the property. None of this can be changed. If a garage cannot be placed utilizing, squeezing, all of the space that I can, a garage would be unusable as a two car garage. Access would be impeded by the home, the location of the garage, and a parked car already in the garage. There is simply not the space to maneuver safely unless I am allowed to utilize the northern edge of the existing structure. By denying this variance, I am being denied a working and usable garage. This will restrict the use the property in everyday use and restrict its value as well.

4-A.19

Hoe Kwate
 229 S. Brainard Ave

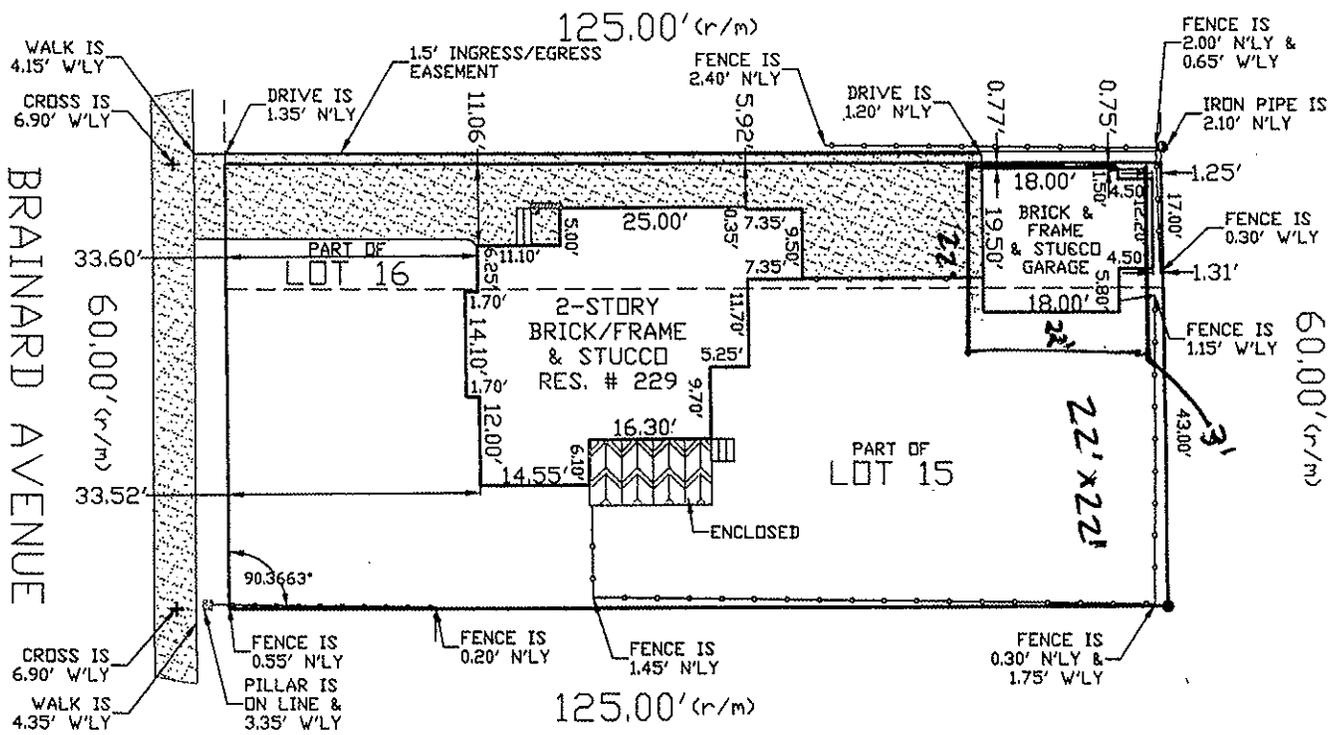
Associated Surveying Group, LLC
 Illinois Prof. Design Firm No. 184-004973
 P.O. Box 810 Bolingbrook, IL 60440
 PH: 630-759-0205 FAX: 630-759-9291

PLAT OF SURVEY

THE NORTH 43 FEET OF THE WEST 125 FEET OF LOT 15 AND THE SOUTH 17 FEET OF THE WEST 125 FEET OF LOT 16 IN BLOCK 5 IN LAY AND LYMAN'S SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTH 18 INCHES OF THE NORTH 33 FEET OF THE WEST 125 FEET OF LOT 16 IN BLOCK 5 AFORESAID.



Proposed Garage



4-A.20

Amazon Construction, Inc

c/o LARRY JADERBERG

9/1, 2008

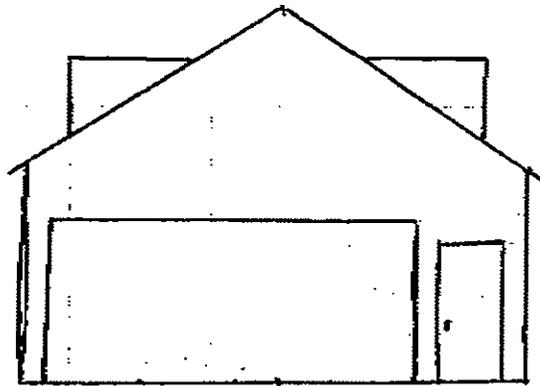
12-4-5

- Proposed garage @ 229 S. BRAINARD
- 2 Car 16' x 7' 6" Door
- 1 3/6 6/8 Entry Door
- 1 Window ea DORMER SIZE TBD
- 2? WINDOWS IN GARAGE 2'0 x 3'0
- NEW GARAGE ON EXISTING FOOT PRINT USING ROOM IN REAR WHERE OUT STORAGE IS @

SEAL @ 1 box = 2ft
OUTER DIM = 22ft x 22ft
HEIGHT = 16ft

CUSTOMER WANTS:

- STAIR CASE INTO ATTIC
- DORMERS FOR ADDED STORAGE
- SEE QUESTIONS ↓



HOOKWATER GARAGE

Amazon Provides:

- DEMO
- CONCRETE SLAB Mono Pour
- STICK FRAME LUMBER TBD
- TYNEK
- VINYL SIDING
- WINDOWS / DOORS # TBD
- 1 COACH LIGHT

QUESTIONS:

- STAIR CASE OUTSIDE?
- GARAGE ELEVATION @ PAD?

QUESTIONS

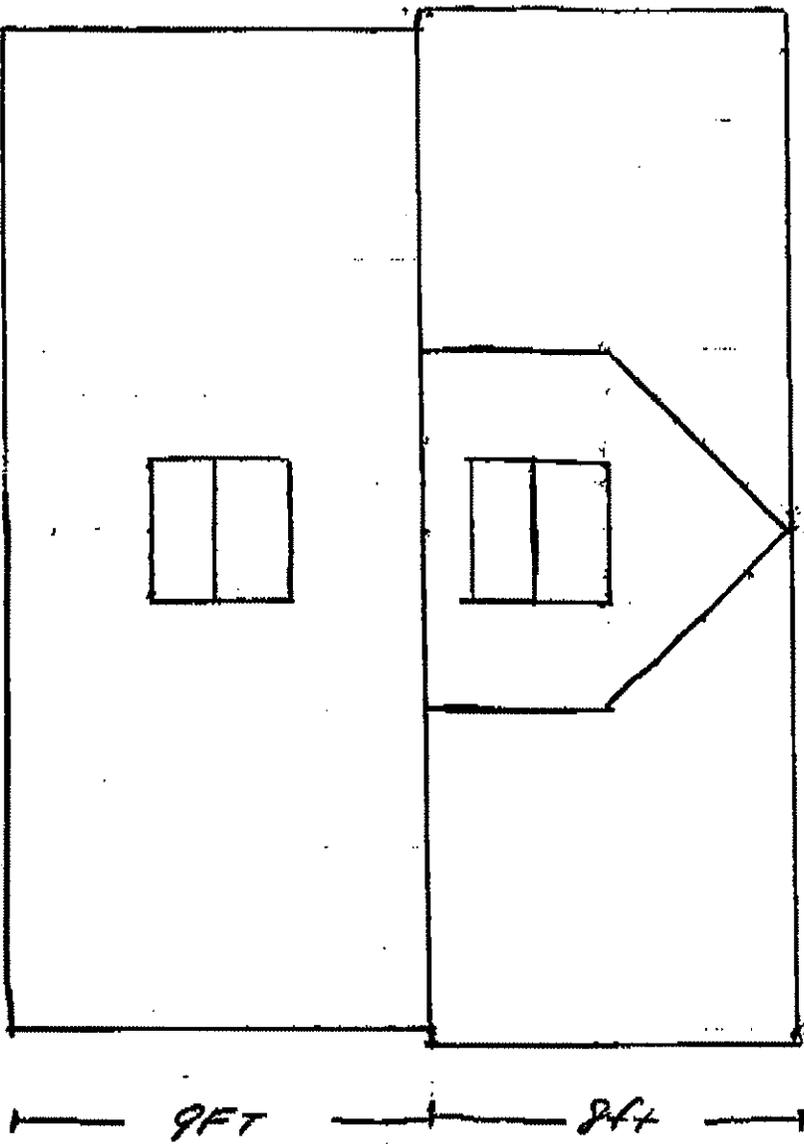
630-740-9500
LARRY JADERBERG

HOEKUNTER PROPOSED NORTH ELEVATION

1 SQ = 1 FT

6/5/08
H.A. 22

22 X 22 FOOT FRONT 17 FT O/A HEIGHT
GARBLE ENDS ON WTB ELEVATION
16' Door on Front w/ 3' Service Door 1 each light
Dormer on RT S ELEVATIONS 3X3 WINDOWS



Amey
THORBERG
Amazon Const.
630-746-9560

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Patrick D. Benjamin, Community Development Director
Sylvia Gonzalez, Staff Liaison

DATE: July 14, 2008

RE: **ORDINANCE – DESIGN REVIEW PERMIT (DRP) #74, 71-75
SOUTH LA GRANGE ROAD, FIFTH AVENUE PROPERTY
MANAGEMENT/LAWRENCE BRANNEN**

Lawrence Brannen, owner of the property at 71-75 South La Grange Road, appeared before the Design Review Commission at their meeting of June 11, 2008, seeking a Design Review Permit for the property at 71-75 South La Grange Road.

Mr. Brannen made the presentation stating that he recently purchased the property at 71-75 South La Grange Road, which was previously occupied by Hollywood Video.

Mr. Brannen stated that he does not intend to significantly change the appearance of the property but to create three separate store fronts. He believes this renovation will enhance the appearance of the property making it more desirable to potential tenants. In addition to creating the three new store fronts it is Mr. Brannen's intention to add a rear entrance leading to a common lobby area.

Pursuant to the Village's code the addition of three new entrances/doorways requires the issuance of a building permit. Accordingly, Section 8-305 of the Zoning code states that no person shall permit any construction, alteration, or remodeling of any building or structure that is located within the Design Review District, for which a building permit is required, that affects the exterior appearance of the building unless a Design Review Permit has been obtained.

After questions and comments by the Commissioners, the Design Review Commission voted unanimously to recommend approval of the Design Review Permit #74 to the Village Board.

4-B

ORDINANCE NO. O-08-

AN ORDINANCE GRANTING A DESIGN REVIEW PERMIT FOR
71-75 SOUTH LA GRANGE ROAD

PASSED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF LA GRANGE

THIS _____ DAY OF _____, 2008.

Published in pamphlet form by authority of the Board of Trustees of the Village of La Grange, County of Cook, State of Illinois this _____ day of _____, 2008.

WHEREAS, Lawrence Brannen has filed an application with the Village of La Grange seeking a Design Review Permit to remodel the facade of the property commonly known as 71-75 South La Grange Road, in the Village; and

WHEREAS, the La Grange Design Review Commission held a public meeting on June 11, 2008 to consider the applicant's request for a Design Review Permit; and

WHEREAS, the President and Board of Trustees have considered the applicant's proposal, and are fully advised in the premises; and

WHEREAS, the President and Board of Trustees of the Village of La Grange have authority to issue a Design Review Permit for a facade renovation of a building in a Design Review Overlay District requested by the applicant, pursuant to the applicable provisions of the Illinois Municipal Code and Article 14-403 of the La Grange Zoning Code; and

WHEREAS, the President and Board of Trustees have determined that the applicants have satisfied the standards for a Design Review Permit and that a Design Review Permit should be granted;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, County of Cook and State of Illinois, as follows:

SECTION 1. RECITALS. The foregoing recitals are incorporated herein as findings of the President and Board of Trustees.

SECTION 2. GRANTING OF DESIGN REVIEW PERMIT. The Board of Trustees acting under and by virtue of the authority conferred on it by the laws of the State of Illinois and by Section 14-403 of the La Grange Zoning Code, does hereby grant a Design Review Permit to the applicants to remodel the building on the subject property in strict compliance with plans and specifications for such remodeling attached to this Ordinance as Exhibit 1 and by this reference incorporated into this Ordinance.

4-B.1

SECTION 3. FAILURE TO COMPLY WITH PLANS AND SPECIFICATIONS

REVOCAION OF PERMIT. Any failure or refusal of the Applicants to comply with any one of the plans and specifications or provisions of this Ordinance, shall be grounds for the immediate revocation by the Board of Trustees, of the Design Review Permit granted in Section

2 of this Ordinance. In the event of any such revocation, the Design Review Permit shall immediately become null and void and work authorized thereby shall cease and desist immediately.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form for review at the La Grange Village Offices and the La Grange Public Library.

ADOPTED this _____ day of _____, 2008, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____, 2008.

Elizabeth Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

4-B.2

MINUTES

Design Review Commission of the
Village of La Grange
June 11, 2008

I. CALL TO ORDER AND ROLL CALL:

A meeting of the Design Review Commission was held on June 11, 2008 in the Village Hall Auditorium, 53 South La Grange Road, La Grange, IL and was convened at 7:30 p.m. by Chairman Andrea Barnish.

Present: (and constituting a quorum): Commissioners Young, Reardon, McClinton and Malec with Chairman Andrea Barnish presiding.

Absent: Commissioners Marcisz and Ozer.

Also Present: Lawrence Brannen, Property Owner, and Sylvia Gonzalez, Staff Liaison.

II. APPROVAL OF MINUTES:

On motion by Commissioner Malec second by Commissioner Young, the Minutes of the May 9, 2007 Design Review Commission meeting were approved as typed and distributed.

III. BUSINESS AT HAND:

1. DRP #74 DESIGN REVIEW PERMIT FOR 71-75 SOUTH LA GRANGE ROAD, FIFTH AVENUE PROPERTY MANAGEMENT/LAWRENCE BRANNEN, PROPERTY OWNER

Lawrence Brannen, owner of the property located at 71-75 South La Grange Road, appeared before the Design Review Commission seeking a Design Review Permit for the property at 71-75 South La Grange Road. Mr. Brannen stated that he recently purchased the property at 71-75 South La Grange Road, which was previously occupied by Hollywood Video. He went on to inform the Commissioners that he does not intend to significantly change the appearance of the property but to simply create three separate store fronts. He stated that this enhancement will make the property more desirable to potential tenants. He further stated that other improvements to the property include adding a well lit rear entrance leading to a common lobby area.

Chairperson Barnish asked who would be occupying the newly created spaces. Mr. Brannen stated that he had several inquiries but as of yet nothing had been secured.

Commissioner Young asked if any changes would be made to the north elevation. Mr. Brannen stated that the entrance that currently exists on the north elevation would be removed.

Chairperson Barnish asked if Mr. Brannen had put any thought to adding any detail to the façade of the property. Mr. Brannen stated that at this point he had not. He further stated that the building would be cleaned up giving it a fresh look making it more appealing. He went on to state that he would be keeping the exterior of the building as is to allow perspective tenants to make improvements

4-13.3

that fit their business motif or color scheme.

Commissioner Reardon stated that if after cleaning the exterior of the building Mr. Brannen realizes the property will need a fresh coat of paint, it might not be a bad idea to consider changing the color; maybe use a few different colors to break up the building a little, maybe some detail to spruce up the building. Mr. Brannen stated that he would take all suggestions made into consideration.

Commissioner Malec stated that he because he may have an interest in the property he would abstain from voting on this matter.

There being no further questions or comments by the Commissioners, on motion by Commissioner Young and second by Commissioner Reardon the Design Review Commission voted unanimously that Design Review Permit #74 be recommended for approval by the Village Board of Trustees

IV. OLD BUSINESS

None.

V. ADJOURNMENT:

There being nothing further to come before the Design Review Commission, on motion by Commissioner McClinton and second by Commissioner Reardon, the Design Review Commission meeting of June 11, 2000 was adjourned at 8:45 p.m.

Respectfully Submitted:

Sylvia Gonzalez, Staff Liaison

4-B.4

Village of La Grange

53 S. La Grange Road, La Grange, IL 60525
Phone (708)579-2320 Fax (708)579-0980

DESIGN REVIEW PERMIT APPLICATION

Case No.: 74
Date Submitted: 5/12/08
UARCO No.: 85246

**TO THE PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF LA GRANGE, ILLINOIS**

Application is hereby made by (Please Print): Fifth Avenue Property Mgmt.

Address: 901 Burlington Ave., Suite 4, Western Spgs Phone: 708-246-3737

Owner of property located at: 71-75 S. La Grange Road

Permanent Real Estate Index No.: 18-04-230-019-0000

Present Use: Retail-vacant Present Zoning Class: C-1

PLAT OF SURVEY must be submitted with application. The plat should show any existing buildings on the petitioned property as well as any existing buildings on property immediately adjacent.

The applicant must provide the following DATA AND INFORMATION:

1. Detailed plans depicting all work proposed to be done, including detailed renderings of any exterior alterations and of the exterior of any proposed new building. Such rendering shall show proposed exterior colors and textures.
2. Standards and Considerations. State how the proposed use or development achieves the purposes for which the Design Review District is designated.

Alterations to building will enhance its leasability & appearance. The rear entrance will improve the look of the alley & be done in a manner consistent with the front facade.

3. Visual Compatibility. New and existing buildings and structures, and appurtenances thereof, which are constructed, reconstructed, materially altered, repaired, or moved shall be visually compatible in terms of the following criteria:
 - a. Height. The height of the proposed buildings and structures shall be visually compatible with adjacent buildings.
 - b. Proportion of Front Facade. The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.
 - c. Proportion of Openings. The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and place to which the building is visually related.
 - d. Rhythm of Solids to Voids in front Facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.
 - e. Rhythm of Spacing and Buildings on Streets. The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.
 - f. Rhythm of Entrance Porch and Other Projections. The relationship of entrances to other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.

4-B.5

- g. Relationship of Materials, Texture and Color. The relationship of the materials, texture, and color of the facade shall be visually compatible with the predominant materials used in the buildings and structure to which it is visually related.
 - h. Roof Shapes. The roof shape of a building shall be visually compatible with the building to which it is visually related.
 - i. Walls of Continuity. Building facade and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related.
 - j. Scale of Building. The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies, shall be visually compatible with the buildings, public ways, and places to which they are visually related.
 - k. Directional Expression of Front Elevation. A building shall be visually compatible with the buildings, public ways, and places to which it is visually related in this directional character, whether this be vertical character, horizontal character, or non-directional character.
4. Quality of Design and Site Development. New and existing buildings and structures and appurtenances thereof which are constructed, reconstructed, materially altered, repaired, or moved shall be evaluated under the following quality of design and site development criteria:
- a. Open Spaces The quality of the open spaces between buildings and in setback spaces between street and facade.
 - b. Materials The quality of materials and their relationship to those in existing adjacent structures.
 - c. General Design The quality of the design in general and its relationship to the overall character of the neighborhood.
 - d. General Site Development The quality of the site development in terms of landscaping, recreation, pedestrian access, automobile access, parking, servicing of the property, and impact on vehicular traffic patterns and conditions on site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible.

NOTICE: This application must be filed with the office of the Community Development Director together with the following:

- **Filing fee of Two Hundred Dollars (\$200), which is non-refundable;**
- **Current photo of property;**
- **Visual proposal depicting final plan, including but not limited to detailed renderings of any exterior alterations. Such rendering shall show proposed exterior colors and textures. (In some cases architectural drawing may be required);**
- **Material samples, including but not limited to, paint, wood finish, stone, brick, fabric for awnings, etc;**

The minimum fee shall be payable at the time of the filing of such request. It is also understood that the applicant shall reimburse the Village, any additional costs over and above these minimums which are incurred by the Village. Such additional costs shall be paid by the applicant prior to the Board of Trustees making a decision regarding the request.

4-B.6

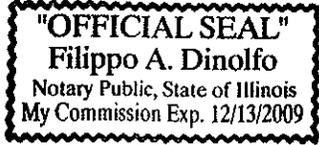
I, undersigned, do hereby certify that I am the owner, or contract purchaser (evidence of title or other interest you have in the subject property, date of acquisition of such interest, and the specific nature of such interest must be submitted with application) do hereby certify that the above statements are true and correct to the best of my knowledge.

[Signature] 901 Burlington Ave., Suite 4 (Signature of Owner or Contract Purchaser)
(Address)

Western Spgs, IL 60558 (City)
(State) (Zip Code)

Subscribed and sworn to before me this 12th day of May 2008

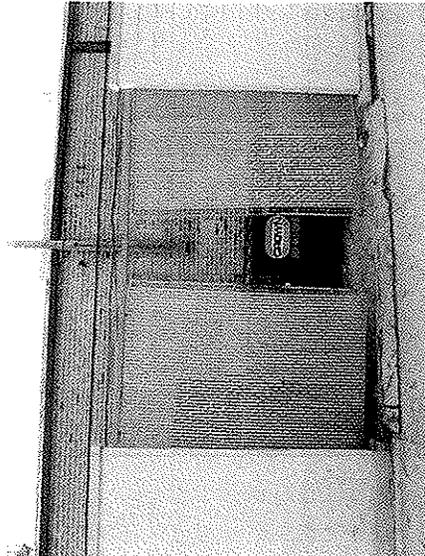
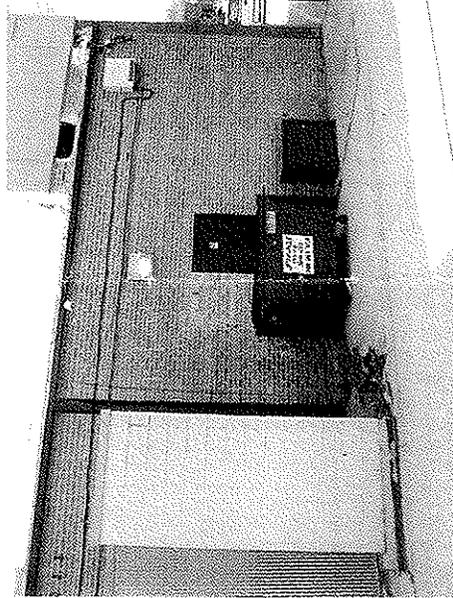
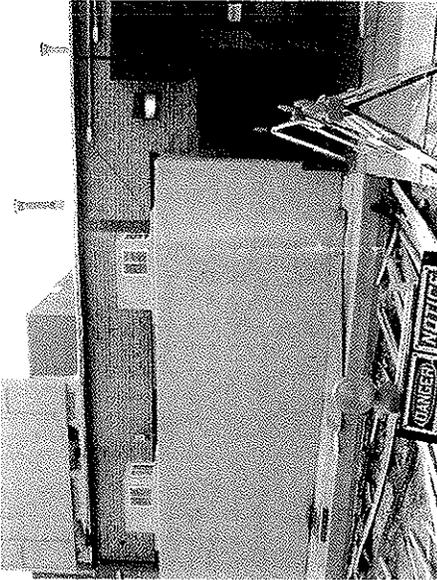
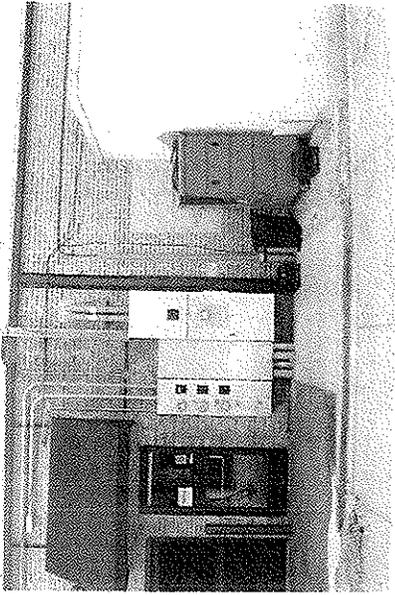
[Signature]
(Notary Public)



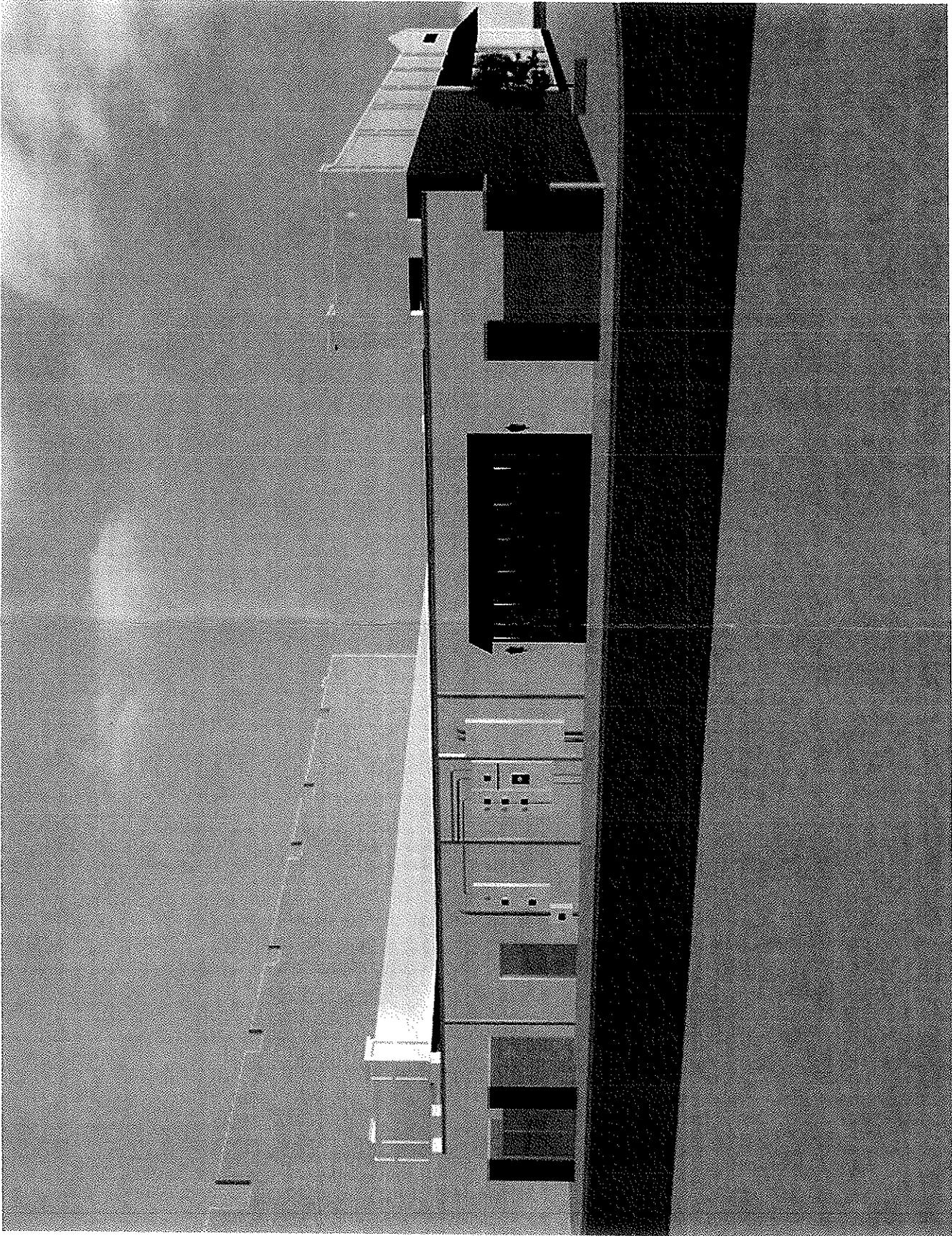
(Seal)

Enclosures: PLAT OF SURVEY, PHOTOS, ARCHITECTURAL RENDERING,
COLOR 3-D ARCHITECTURAL RENDERING, AWNING FABRIC

4-B.7



4-B.8



4-B.11



4-B.9

VILLAGE OF LA GRANGE
Public Works Department

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees, and Village Attorney

FROM: Robert Pilipiszyn, Village Manager
Mike Bojovic, Assistant Director of Public Works

DATE: July 14, 2008

RE: **AWARD OF CONTRACT – SEWER TELEVISIONING**

Beginning in FY 2005-06, the Village initiated a comprehensive televised inspection program to document sewer conditions. The program allows us to plan sewer system repairs and to coordinate those repairs with street reconstruction. An annual budget amount of \$70,000 was earmarked for each of the succeeding six fiscal years to fund the program.

The first part of the multi-year project was completed in 2006 using the funds budgeted for FY 2005-06 and FY 2006-07. The combined fiscal year allocation allowed a larger area to be planned for cleaning and inspection. Through this effort, several neighborhood areas were inspected including Neighborhoods G, H, I and J, and a portion of Gilbert Avenue. A total of 50,088 lineal feet of sewer was cleaned and inspected under the first project, at a final cost of \$88,667.84.

The second part of this multi-year program is scheduled for this year using funds budgeted for FY 2007-08 and FY 2008-09. The money budgeted for FY 2007-08 was not spent and was reallocated to the current fiscal year budget, in a manner similar to the prior project. The current project will focus on the large Neighborhood A area of the Village bounded by Brainard Avenue, Burlington Avenue, La Grange Road, and 47th Street. Additional inspection work will be completed in the area bounded by La Grange Road, Ogden Avenue, Tilden (Hazel) Avenue and Shawmut Avenue which encompasses the YMCA redevelopment area. The project has also been configured to include the sewer segments extending along East Avenue from 47th Street to Ogden Avenue. The sewer included in this survey is expected to total about 53,411 lineal feet in length.

The televised inspection work is performed from manhole to manhole. There is no excavation and no direct impact on the public. The only impact on Village residents will be reduced speed through work zones and, on a very small scale, limited and temporary individual access should a manhole be located in front of a driveway.

The Village solicited bids for the work, and on May 13, 2008 sealed bids were opened and read. The five proposals received are summarized in the table below. The table includes the bid amount and also the previously approved engineer's estimate, so that a comparison can be more easily made to the budget value.

4-C

VENDOR	BID VALUE	ENGINEERING	TOTAL
Pipe-View LLC, La Porte, Indiana	\$72,154.73	\$35,030.67	\$107,185.40
C.T.R. Systems, Glenview, Illinois	\$102,187.83	\$35,030.67	\$137,218.50
Visu-Sewer of Illinois, Bridgeview, Illinois	\$136,892.40	\$35,030.67	\$171,923.07
Sheridan Plumbing, Burr Ridge, Illinois	\$173,275.50	\$35,030.67	\$208,306.17
National Power Rodding, Chicago, Illinois	\$173,382.50	\$35,030.67	\$208,413.17
CURRENT PROJECT BUDGET			\$155,000.00

In the attached analysis from Village Engineer Tom Heuer, he determined that the apparent low bidder, Pipe-View LLC of La Porte, Indiana is not the lowest responsible bidder in the best interest of the Village. The Pipe-View bid is substantially weighted on the side of light-cleaning work, with very little allocated to heavy-cleaning work. The Village's experience is that substantial heavy cleaning is required, which was detailed in the bid document. Pipe-View's owner acknowledged that he only expects to perform light cleaning, which Mr. Heuer believes will result in quality issues as well as possible additional cost. Under these circumstances, the Village staff recommends that the low bid be rejected as not compliant, not responsible, and not in the best interests of the Village.

The Village staff recommends that the contract be awarded to C.T.R. Systems, the second low bidder. Although C.T.R. has not performed work for the Village of La Grange in the past, it appears that they have the ability and qualifications to complete the work. References from the Villages of Glenview, Glen Ellyn, Morton Grove and the City of Evanston were found to be favorable.

The staff and the Village Attorney believe that it is in the best interest of the Village to reject all of the bids it received in order to enhance the Village's ability to negotiate the terms of a favorable contract with C.T.R. Systems, Inc. of Glenview, Illinois. Accordingly, it is our recommendation that the Village Board take the following actions:

1. Move to reject all bids received for this project; and
2. Move to waive the competitive bidding process and award the sewer cleaning and televising contract to C.T.R. Systems, Inc. in a negotiated amount not to exceed \$102,187.83.

4-C.1

HEUER AND ASSOCIATES
Consulting Engineers

2315 Enterprise Drive - Suite 102
Westchester, Illinois 60154-5811

PH: 708-492-1000
FAX: 708-492-0700

May 26, 2008

Ms. Andrianna Peterson
Assistant Village Manager
Village of La Grange
53 South La Grange Road
La Grange, Illinois 60525

Re: Recommendation for Contract Award
2008 Televised Inspection Survey

Dear Ms. Peterson:

The Village of LaGrange received sealed proposals for the *2008 Televised Sewer Inspection Survey* project at 11:00 a.m. on Tuesday, May 13, 2008 as scheduled. Proposals were requested and received from five firms as summarized in the following **Table 1**. A detailed bid tabulation has also been attached to provide a specific comparison of cost for each contract work item.

TABLE 1: SUMMARY OF BID RESULTS			
BIDDER	ADDRESS	BID AMOUNT	Rank
Pipe-View LLC	203 Farmwood Lane, La Porte, IN 46350	\$72,154.73	1
C.T.R Systems, Inc.	4350 DiPaolo Center, Glenview, IL 60025	\$102,187.83	2
Visu-Sewer of Illinois	9014 S. Thomas Avenue, Bridgeview, IL 60455	\$136,892.40	3
Sheridan Plumbing	100 Tower Drive - Suite 115, Burr Ridge, IL 60527	\$173,275.50	4
National Power Rodding	2500 W. Arthington, Chicago, IL 60612	\$173,382.50	5
Average Bid Price		\$131,578.59	
Engineer's Pre-Bid Estimate		\$133,466.35	

The five bid proposals were checked for errors and omissions in the values listed, and evaluated to confirm viability of each bidder. All bids were found to be properly prepared, mathematically correct, and viable based upon the values stated. The bids received presented a wide range in value, varying between 45.9% below the engineers estimate to 29.9% above the estimate, suggesting a standard deviation of \$39,772.97. The average bid price of \$131,578.59 approximates the estimated value.

4-C.2

This wide range in bid price reflects the differing views of the work scope, perspective of the work difficulty, material and operating costs, competing work commitments, general interest in the project, and the ability to meet the project requirements.

In our examination of the bid results, we find that the proposal provided by the low bidder is significantly below the value expected for the sewer cleaning and inspection work. The values assigned to the cleaning and televised inspection work presents an imbalanced bid, and raises questions over the bidder's understanding of the work or ability to perform as expected. In particular, the required heavy duty cleaning operation is expected to involve about 45% of the total sewer length assigned to the project. As shown in the attached **Tabulation of Bids**, the unit price proposed for heavy cleaning is uniformly set at \$0.05 per foot. The unit price proposed for the standard light duty cleaning varies based on the pipe size and is considerably higher than might be expected. The televised inspection cost is also bid uniformly at \$0.05 per foot, which understates the time and equipment required to perform this service. Using the values assigned, the following comparison is made between the five bidders to demonstrate the weighted value assigned each work component.

Component	Pipe-View		CTR Systems		Visu-Sewer		Sheridan Plumb.		National Pwr.	
Light Clean	94.6%	\$68,277.48	17.0%	\$17,347.85	7.6%	\$10,395.90	24.8%	\$42,959.85	39.6%	\$68,732.00
Heavy Clean	1.7%	\$1,201.70	38.3%	\$39,167.32	49.4%	\$67,644.40	37.4%	\$64,722.45	13.9%	\$24,034.00
Televising	3.7%	\$2,670.55	44.7%	\$45,672.66	42.9%	\$58,752.10	37.0%	\$64,093.20	46.2%	\$80,116.50
Reporting	0.0%	\$5.00	0.0%	\$0.00	0.1%	\$100.00	0.9%	\$1,500.00	0.3%	\$500.00
Total	100%	\$72,154.73	100%	\$102,187.83	100%	\$136,892.40	100%	\$173,275.50	100%	\$173,382.50

As indicated in the preceding **Table 2**, the value assigned by the low bidder to the standard light cleaning work component represents almost 95% of the total bid value. Little to no value has been assigned to the heavy duty cleaning or the critical televised inspection aspects of the project. Although the bidder claims otherwise, we believe that the bidder expects to clean and televise the sewer in one operation. Past experience has shown that this will not be possible or in the best interests of the Village, as heavy deposits of sediment, aggregate and other materials typically found in the combination sewer system will be encountered and will need to be removed to restore the full capacity of the sewer. At the price specified the bidder has not allowed for such material removal and disposal. Further we believe that there is insufficient value placed under the standard cleaning items to compensate for the work required. This situation clearly sets the stage for contract administration problems.

4-C.3

We have contacted work references obtained from the bidder and note that work quality and performance was acceptable for certain projects completed in Wayne County, Michigan, Cleveland, Ohio, and Hammond, Indiana during late 2006 and early 2007. However the scope of work did not appear to compare to that involved in the La Grange project, where pipe conditions are more problematic and expectations more critical. For a more comparable circumstance, we found that the City of Evanston had retained Pipe-View for a multi-year cleaning and inspection contract of their combination sewer systems, during which the work quality and performance was reported to have deteriorated. Although at the start of their contract the work performance and product was acceptable, circumstances were noted to have changed over time as apparent economic and other issues surfaced. In particular, it was noted that the newer equipment used in the early phases of the project had apparently been sold, and replaced by older, lower quality equipment, contributing to performance problems. Work crew attitudes have also deteriorated during this period, resulting in work quality issues.

Given such findings we have concluded that Pipe-View LLC should not be considered as the low, responsive, and responsible bidder for this project. As such we recommend consideration of the second low bidder, *CTR Systems*. The bid prices presented by *CTR Systems* for each component of work are more balanced and appropriate for the level of service required under this project. There also appears to be sufficient value allowed for the various work components, to successfully complete the work specified for this contract.

In my review of the bid with Mr. Sal Di Paolo, of *CTR Systems*, it was noted that while he considers his bid to be aggressive, he also believes it to be realistic. It was noted that the zero dollar value placed on the survey report work component, reflects the fact that all of the reporting costs have been factored into the televised inspection component cost, and does not represent misplaced value. He further acknowledges his understanding of the cleaning requirements and is prepared to undertake the project and satisfy the needs of the Village of La Grange. Mr. Di Paolo noted that *CTR Systems* is a subsidiary of Di Paolo Company, for which he also serves as Vice President. The Di Paolo Company is a fairly large heavy equipment construction company based in the Village of Glenview, that is actively involved in the sewer and water construction industry. *CTR Systems* was formed about ten years ago to provide special sewer cleaning, televised inspection, and rehabilitation services. It has performed work for a number of municipalities in the north and west suburban areas such as Glenview, Glen Ellyn, Morton Grove, and Evanston. A review of work performance within these communities finds their reputation to be good and work quality to be good.

4-C.4

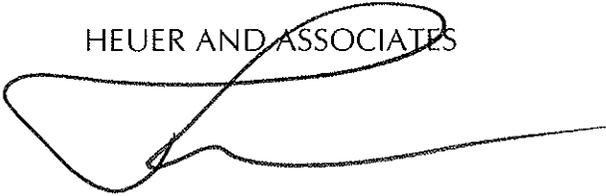
Recommendation for Contract Award
2008 Televised Sewer Inspection Survey
May 26, 2008
Page 4 of 4

Given these observations we believe that *CTR Systems* should be regarded as the low, responsive, and responsible bidder for this project. It is therefore our recommendation that this project be awarded to *CTR Systems Inc.* in the bid amount of \$102,187.83. We have returned the submitted bid proposals, as attached, for your records and have provided the attached *Notice of Award* for execution upon approval of the Board of Trustees.

We hope that this recommendation meets with your approval. If you should have any questions, please feel free to call.

Very truly yours,

HEUER AND ASSOCIATES

A large, stylized handwritten signature in black ink, appearing to read 'Thomas A. Heuer', is written over the company name and extends across the page.

Thomas A. Heuer, P.E.
Principal Engineer

cc: - Mr. Ken Watkins, Director of Public Works

TABULATION OF BIDS

2008 TELEVISED SEWER INSPECTION SURVEY

Bid Date: Tuesday, May 13, 2008

No.	Contract Item	Quantity	Engineer's PreBid Estimate		Pipe-View LLC		C.T.R. Systems, Inc.		Visu-Sewer of Illinois		Sheridan Plumbing & Sewer		National Power Rodding	
			Unit Price	Cost	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Sewer Cleaning, Standard Duty, 8"-12"	15,632 LF	\$0.50	\$7,816.00	\$1.98	\$30,951.36	\$0.53	\$8,284.96	\$0.30	\$4,689.60	\$0.80	\$12,505.60	\$0.50	\$7,816.00
2	Sewer Cleaning, Standard Duty, 15"-18"	5,831 LF	\$0.50	\$2,915.50	\$1.98	\$11,545.38	\$0.53	\$3,090.43	\$0.30	\$1,749.30	\$1.30	\$7,580.30	\$1.50	\$8,746.50
3	Sewer Cleaning, Standard Duty, 21"-27"	4,748 LF	\$0.55	\$2,611.40	\$2.48	\$11,775.04	\$0.64	\$3,038.72	\$0.50	\$2,374.00	\$2.30	\$10,920.40	\$5.50	\$26,114.00
4	Sewer Cleaning, Standard Duty, 30"-36"	515 LF	\$0.60	\$309.00	\$3.95	\$2,034.25	\$0.64	\$329.60	\$0.50	\$257.50	\$3.65	\$1,879.75	\$6.50	\$3,347.50
5	Sewer Cleaning, Standard Duty, 42"-48"	1,901 LF	\$0.65	\$1,235.65	\$3.95	\$7,508.95	\$0.64	\$1,216.64	\$0.50	\$950.50	\$3.80	\$7,223.80	\$8.00	\$15,208.00
6	Sewer Cleaning, Standard Duty, 60"-72"	750 LF	\$0.75	\$562.50	\$5.95	\$4,462.50	\$1.85	\$1,387.50	\$0.50	\$375.00	\$3.80	\$2,850.00	\$10.00	\$7,500.00
7	Sewer Cleaning, Heavy Duty, 8"-12"	12,790 LF	\$1.50	\$19,185.00	\$0.05	\$639.50	\$1.15	\$14,708.50	\$2.23	\$28,521.70	\$1.60	\$20,464.00	\$1.00	\$12,790.00
8	Sewer Cleaning, Heavy Duty, 15"-18"	4,770 LF	\$1.75	\$8,347.50	\$0.05	\$238.50	\$1.15	\$5,485.50	\$2.23	\$10,637.10	\$2.55	\$12,163.50	\$1.00	\$4,770.00
9	Sewer Cleaning, Heavy Duty, 21"-27"	3,884 LF	\$5.50	\$21,362.00	\$0.05	\$194.20	\$2.23	\$8,661.32	\$4.40	\$17,089.60	\$4.05	\$15,730.20	\$1.00	\$3,884.00
10	Sewer Cleaning, Heavy Duty, 30"-36"	422 LF	\$7.00	\$2,954.00	\$0.05	\$21.10	\$2.55	\$1,076.10	\$4.40	\$1,856.80	\$6.05	\$2,553.10	\$1.00	\$422.00
11	Sewer Cleaning, Heavy Duty, 42"-48"	1,555 LF	\$9.00	\$13,995.00	\$0.05	\$77.75	\$3.18	\$4,944.90	\$4.40	\$6,842.00	\$6.30	\$9,796.50	\$1.00	\$1,555.00
12	Sewer Cleaning, Heavy Duty, 60"-72"	613 LF	\$15.00	\$9,195.00	\$0.05	\$30.65	\$7.00	\$4,291.00	\$4.40	\$2,697.20	\$6.55	\$4,015.15	\$1.00	\$613.00
13	Sewer Inspection, 8"-12"	28,422 LF	\$0.75	\$21,316.50	\$0.05	\$1,421.10	\$0.82	\$23,306.04	\$1.10	\$31,264.20	\$1.20	\$34,106.40	\$1.50	\$42,633.00
14	Sewer Inspection, 15"-18"	10,601 LF	\$0.75	\$7,950.75	\$0.05	\$530.05	\$0.82	\$8,692.82	\$1.10	\$11,661.10	\$1.20	\$12,721.20	\$1.50	\$15,901.50
15	Sewer Inspection, 21"-27"	8,632 LF	\$0.75	\$6,474.00	\$0.05	\$431.60	\$0.82	\$7,078.24	\$1.10	\$9,495.20	\$1.20	\$10,358.40	\$1.50	\$12,948.00
16	Sewer Inspection, 30"-36"	937 LF	\$0.80	\$749.60	\$0.05	\$46.85	\$0.95	\$890.15	\$1.10	\$1,030.70	\$1.20	\$1,124.40	\$1.50	\$1,405.50
17	Sewer Inspection, 42"-48"	3,456 LF	\$0.95	\$3,283.20	\$0.05	\$172.80	\$1.15	\$3,974.40	\$1.10	\$3,801.60	\$1.20	\$4,147.20	\$1.50	\$5,184.00
18	Sewer Inspection, 60"-72"	1,363 LF	\$1.25	\$1,703.75	\$0.05	\$68.15	\$1.27	\$1,731.01	\$1.10	\$1,499.30	\$1.20	\$1,635.60	\$1.50	\$2,044.50
19	Survey Report	1 LS	\$1,500.00	\$1,500.00	\$5.00	\$5.00	\$0.00	\$0.00	\$100.00	\$100.00	\$1,500.00	\$1,500.00	\$500.00	\$500.00
TOTAL, All Contract Items				\$133,466.35		\$72,154.73		\$102,187.83		\$136,892.40		\$173,275.50		\$173,382.50

BID ANALYSIS		Pipe-View LLC	C.T.R. Systems, Inc.	Visu-Sewer of Illinois	Sheridan Plumbing & Sewer	National Power Rodding						
Pre-bid Estimate, percent deviation	\$133,466.35	-45.94%	-23.44%	2.57%	29.83%	29.91%						
Mean Bid Value, percent deviation	\$131,578.59	-45.16%	-22.34%	4.04%	31.69%	31.77%						
Mean Bid Value, cost deviation	\$131,578.59	-\$59,423.86	-\$29,390.76	\$5,313.81	\$41,696.91	\$41,803.91						
Standard Deviation	\$39,772.97											
Range of Bid Values	\$101,227.77											
Median Bid Value	\$136,892.40											
Standard Duty Cleaning, Subtotal	11.6%	\$15,450.05	94.6%	\$68,277.48	17.0%	\$17,347.85	7.6%	\$10,395.90	24.8%	\$42,959.85	39.6%	\$68,732.00
Heavy Duty Cleaning, Subtotal	56.2%	\$75,038.50	1.7%	\$1,201.70	38.3%	\$39,167.32	49.4%	\$67,644.40	37.4%	\$64,722.45	13.9%	\$24,034.00
Sewer Inspection, Subtotal	31.1%	\$41,477.80	3.7%	\$2,670.55	44.7%	\$45,672.66	42.9%	\$58,752.10	37.0%	\$64,093.20	46.2%	\$80,116.50
Survey Report, Subtotal	1.1%	\$1,500.00	0.01%	\$5.00	0.00%	\$0.00	0.07%	\$100.00	0.87%	\$1,500.00	0.29%	\$500.00
TOTAL, All Work Components	100.0%	\$133,466.35	100.0%	\$72,154.73	100.0%	\$102,187.83	100.0%	\$136,892.40	100.0%	\$173,275.50	100.0%	\$173,382.50

4-C.6

NOTICE OF AWARD

DATE: June 9, 2008

CONTRACTOR: C.T.R. Systems, Inc.

ADDRESS: 4350 DiPaolo Center, Glenview, Illinois 60025

PROJECT: **2008 Televised Sewer Inspection Survey**

The OWNER has considered the BID PROPOSAL received for the above described PROJECT on May 13, 2008 in response to its advertisement for bids, and has rendered a decision relative to the award, favorable to your firm. You are hereby notified that your BID PROPOSAL has been accepted for the Contract Items in the amount of \$ \$102,187.83.

You are required by the terms of this Contract to execute the Agreement and furnish the required PERFORMANCE BOND, PAYMENT BOND, and certificates of insurance within ten (10) calendar days from the date of this Notice. Failure to execute said Agreement and to furnish said Bonds within the said ten (10) day period, will entitle the OWNER to consider all of your rights arising out of the OWNER'S acceptance of your BID as abandoned, including the forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of this NOTICE OF AWARD to the OWNER.

OWNER: Village of La Grange

By: _____

Elizabeth Asperger

Title: Village President

ACCEPTANCE OF NOTICE:

Receipt of the above NOTICE OF AWARD
is hereby acknowledged by:

CONTRACTOR: C.T.R. Systems, Inc. By: _____

Date: _____ Title: _____

4-C.7

VILLAGE OF LA GRANGE
Fire Department

BOARD REPORT

TO: Village President, Village Clerk, and
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager and
David W. Fleege, Fire Chief

DATE: July 14, 2008

RE: **PURCHASE – AMBULANCE REPLACEMENT**

The FY 2008-09 Equipment Replacement Fund budget provides \$185,000 for the replacement of the 1995 light-duty, reserve ambulance.

The current reserve ambulance has outlived its life expectancy and is no longer able to function as a reliable reserve ambulance. Once replaced, the 2001 Freightliner, medium duty front line ambulance will be moved to reserve status.

The West Central Municipal Conference (WCMC), in conjunction with the Northwest Municipal Conference (NWMC) offers an ambulance joint purchase program through the Suburban Purchasing Cooperative. By combining the purchasing power of numerous local governments and agencies, the Suburban Purchasing Cooperative is able to negotiate significant cost reductions.

Following a thorough competitive bid process by the Northwest Municipal Conference Fire Core Cost Containment Committee, two vendors were approved to provide ambulances. One of the vendors, Foster Coach Sales, Inc. of Sterling Illinois, representing MEDTEC Ambulance, in Goshen Indiana, has been selected by our Fire Department Ambulance Committee as the recommended vendor best meeting our needs.

Foster Coach, Inc. has provided a quotation as per the specifications of the Northwest Municipal Conference. Below is a summary of the quotation:

2009 Ford F650 Chassis with custom MEDTEC Ambulance Body	\$ 169,932
Optional Pre-payment discount if paid @ time of order (based on 100% pre-payment)	- 5,268
Optional Trade-in of 1995 Ford, light-duty reserve ambulance	- 5,520
Quoted Price Accepting Two Options	\$ 159,144

4-D

The new ambulance will be fully equipped, with all Federal and State required medical equipment. Additional supplies such as a defibrillator, stretcher and miscellaneous medical equipment will need to be purchased prior to the ambulance being placed into service. The total cost of the outfitted ambulance will not exceed the budget.

The Village Board was previously advised that a letter of intent to purchase the ambulance was provided to the vendor in order to take advantage of the pre-payment discount as well as protection from anticipated price increases effective July 1, 2008.

It is our recommendation that the Village Board authorize staff to enter into an agreement with Foster Coach Sales, Inc. of Sterling Illinois, for the purchase of a medium duty MEDTEC ambulance, including acceptance of both options as listed, in the amount of \$159,144.

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4-D.1

VILLAGE OF LA GRANGE
Police Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager,
David Fleege, Fire Chief, and
Michael A. Holub, Chief of Police

DATE: July 14, 2008

RE: **RESOLUTION – COOK COUNTY INTEROPERABLE
COMMUNICATION SYSTEM**

In December 2005, the Village Board approved a resolution entering into a Participation Agreement with Cook County to accept the Cook County Interoperable Communication System. The Cook County Interoperable Communication System is a state of the art, wireless video and text communication system, funded by the U.S. Department of Homeland Security. The initial phase of the system included twenty-seven agencies, including the Cook County Sheriff's Police, State's Attorney, Cook County Department of Public Health, and other Police Departments. The Village of La Grange had been scheduled to participate in the second phase which also included 27 agencies.

Since its initial inception, the capability of the Interoperable Communication System has been enhanced beyond voice/radio systems, to also include video, data and GIS mapping capabilities. These improvements will allow the County Office of Emergency Management to share and distribute information, and coordinate responses in any crisis throughout the County.

The two platforms incorporated into this system include the initial proposal for radio/voice communications, and also the ability to send and receive countywide alerts, E-mail, voicemail and video images. This technology can operate in various layers or levels depending upon the incident. For example, the incident might dictate the use of local agencies assisting on a small incident; all agencies in the County; the statewide terrorist alert system; or even federal notification in major events (Department of Homeland Security, the FBI, and so forth).

For some reason unknown to us, many of the municipalities, including La Grange, that pledged participation in the second phase of the program in 2005, have yet to receive the system. Instead, the Cook County Judicial Advisory Council has invited us to participate in the next phase, known as Project Shield - Phase III, along with eighty-one other Cook County communities.

The vendor for all phases of this project has been selected through an extensive RFP process conducted by the County. In a meeting hosted by the County and held recently in Brookfield, Chief Fleege and Chief Holub had the opportunity to meet the vendor, and to receive a detailed accounting of the selection process and capabilities of the vendor, Johnson Control, Inc.

4-E

Through the program, all of the municipalities in the County will have a fixed CCTV camera, to provide a thumbnail glimpse of each jurisdiction to the County, and at least one mobile CCTV camera installed in an emergency response vehicle. Chief Fleege and Chief Holub will work with the County to identify specific needs, such as the location for a fixed camera, the proper first response vehicle for a mobile camera system, the location of a monitoring system, and other installation requirements. Equipment testing, training, and on-going support, is also provided.

Although the system is provided at no cost to us, Chief Fleege and Chief Holub have reviewed the implementation plan and identified minimal costs, such as a new CAT-5 cable and maintenance costs in future years. The system will be under warranty in the first year, and Federal funding is assured for year two. However, year three and beyond may become the responsibility of the municipality if Federal funding is not approved. The cost would be similar to the annual fee (\$5,000) we presently pay for our LIVESCAN system.

Our existing connection to the County through our LIVESCAN/CABS system can be used for this system, thus eliminating any new connectivity costs. Also, we have already submitted our fire and police radio information for the voice/radio connectivity and codebook of frequencies phase of the implementation.

As part of the countywide implementation process, a new Resolution approved by our Board and confirming our participation is required. We recommend that the attached Resolution accepting the Cook County Interoperable Communication System be approved.

4-E.1

RESOLUTION _____

**RESOLUTION ACCEPTING
THE COOK COUNTY INTEROPERABLE
COMMUNICATION SYSTEM**

WHEREAS, the U.S. Department of Homeland Security has recognized the importance of communication between first responders in the event of a crisis; and

WHEREAS, recent events in world history have caused Federal, State, and Local Governments to recognize their responsibility to share resources and work cooperatively to prepare for and respond to threats to the public health, safety and welfare; and

WHEREAS, the U.S. Department of Homeland Security has funded the Cook County Interoperable Communication System to link first responders in Cook County; and

WHEREAS, the Cook County Board Judicial Advisory Council has been tasked as the administrator of the funding for the Cook County Interoperable Communication System, and

WHEREAS, Cook County Board Judicial Advisory Council has offered the Village of La Grange to participate in the Cook County Mobile Video and Data Communications Network.

NOW, THEREFORE BE IT RESOLVED by the Village President and Board of Trustees of the Village of La Grange, that the Village President is authorized to sign a Participation Agreement with Cook County, concerning a Mobile Video and Data Communications Network.

ADOPTED by the Board of Trustees of the VILLAGE OF LA GRANGE, Illinois the ____ day of _____, 2008, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this _____ day of _____, 2008

ATTEST:

Elizabeth Asperger, Village President

Robert N. Milne, Village Clerk

4-E.2

VILLAGE OF LA GRANGE
Police Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert Pilipiszyn, Village Manager and
Michael A. Holub, Chief of Police

DATE: July 14, 2008

RE: **AWARD OF CONTRACT – PURCHASE OF DIGITAL RECORDING
DEVICE FOR COMMUNICATION CENTER**

The dispatch center located in the police department serves both the fire and police departments. All 9-1-1 calls for service, whether by hard-wired or cellular phone, are received there as well as the non-emergency police and fire requests. Administrative inquiries, such as records requests or parking issues, are also received at the dispatch center.

In addition to telephonic communications, all radio transmissions from our fire and police units, as well as other agencies, are directed from our communications center. Activities are recorded and maintained on a computer based, digital recording system. Although significant upgrades and improvements to our dispatch center were made in 2005, the recording system was not updated at that time because it was operating adequately and did not warrant replacement.

The FY 2008-09 Equipment Replacement Fund budget provides \$30,000 for the purchase of a new digital recording device. In the past few months we have had several system failures, requiring us to use a backup recording system. The manufacturer has indicated that the system cannot be repaired and must be replaced. Because we had anticipated replacement, we were fortunate to have had an evaluation of our recording needs already completed.

Based upon our review of the only two suitable vendors identified, we had focused on a company known as Nelson Systems, who specializes in voice and data recording systems using Eventide Digital Recording Technology. The other provider was from Quebec, Canada and although they provided a slightly lower proposal price than Nelson, their proposal did not include installation or any local support, and would have necessitated additional costs for a subcontractor.

Below is a summary of the quotations:

VENDOR	PROPOSED COST
Nelson Systems, Springfield, Illinois	\$18,935
Eventide Digital / Recording Technology, Quebec, Canada	\$14,950
FY 2008-09 Project Budget	\$30,000

4-F

Award of Contract – Purchase of Digital Recording Device for Communication Center
Board Report - July 14, 2008 -Page 2

The new proposed system will incorporate digital technology through a logging and archiving system that will no longer have to be physically located in the communications center. The actual hardware will be installed in the basement equipment room, and accessed through the secure computer network in the Police Department. The entire system is password protected yet allows our records personnel limited access for investigation and court purposes. The system is currently used by the Illinois State Police, over 30 County 9-1-1 centers, and La Grange Park Police.

It is our recommendation that the Village Board waive the competitive bidding process and authorize staff to enter into an agreement with Nelson Systems of Springfield, Illinois for the purchase of a replacement digital recording device for the 9-1-1 Communications Center in the amount of \$18,935.

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4-F.1

VILLAGE OF LA GRANGE
Police Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager and
Michael A. Holub, Chief of Police

DATE: July 14, 2008

RE: **ORDINANCE - DISPOSAL OF SURPLUS PROPERTY**

The Police Department routinely becomes the custodian of a wide variety of property that is lost, mislaid, abandoned, forfeited or of no further evidentiary value. As the Police Department currently has many such items, permission is requested to dispose of these items. State law allows the Village to sell surplus property in a manner that is best for the Village. All unclaimed/recovered property is being disposed of in compliance with the Illinois State Statutes, which requires property to be held for at least six (6) months and after all reasonable efforts have been made to return the property to the rightful owner.

In the past, the Police Department has organized a public auction to sell the surplus property. The majority of these items have been bicycles recovered in the previous year that are of little or no value. Our auction efforts for these types of items have been marginally successful and we have been looking at alternative methods to dispose of property. By way of contrast, more valuable property such as vehicles or jewelry do very well when auctioned on-line.

Last year, we utilized the services of a licensed auction house in Illinois called Auctions By Jennifer, located at 510 W. Irving Park Rd., Wooddale, IL. We were satisfied with the results and believe it is in the best interest of the Village to retain the same company this year. Auctions By Jennifer will pick up and sell all of our property, for a fee of 25% of the proceeds of the sale. The attached list is an inventory of bicycles and miscellaneous items to either be picked up and sold by Auctions By Jennifer or discarded as having no value. They will provide us with an itemized list of the property they sell, with the sale price, within one week after the auction.

We recommend that the Village Board authorize the La Grange Police Department to contract with Auctions By Jennifer and to dispose of the items as provided for in the attached ordinance.

4-6

VILLAGE OF LA GRANGE

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING DISPOSAL OF PERSONAL PROPERTY OWNED BY THE VILLAGE OF LA GRANGE

WHEREAS, in the opinion of the corporate authorities of the Village of La Grange, it is no longer necessary, useful, or in the best interests of the Village to retain ownership of the personal property described in this Ordinance; and

WHEREAS, it has been determined by the President and the Board of Trustees of the Village of La Grange to dispose of said personal property in the manner described in this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are hereby incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Disposal of Surplus Property. The President and Board of Trustees find that the personal property described in Exhibit A attached to this Ordinance and by this reference incorporated into this Ordinance (the "Surplus Property") is no longer necessary or useful to the Village, and thus the Village Manager for the Village of La Grange is hereby authorized to direct the sale or disposal of the Surplus Property in the manner most appropriate to the Village. The Surplus Property shall be sold or disposed of in "as is" condition.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this ____ day of _____ 20__.

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this ____ day of _____ 20__.

By: _____
Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

4-6-1

ATTACHMENT A (PAGE 1 OF 2)

#	EQUIPMENT/DESCRIPTION	SERIAL #	MAKE/MODEL	CONDITION
1	BICYCLE	ACL9703044	BMX	USED
2	BICYCLE	UNKNOWN	FILA	USED
3	BICYCLE	38212875	GLASIER POINT	USED
4	BICYCLE	00TD69569	MAGNA	USED
5	BICYCLE	WTU1GD121U	TREK	USED
6	BICYCLE	MC53013013	PACIFIC	USED
7	BICYCLE	GU01233B	SCHWINN	USED
8	BICYCLE			
9	BICYCLE	69986051195	MURRAY	USED
10	BICYCLE	C90F8214	PACIFIC	USED
11	BICYCLE	2173G1271	HARD BIKE	USED
12	BICYCLE	WTU30BP0275B	GARY FISHER	USED
13	BICYCLE	SNCAB09073694	SCHWINN	USED
14	BICYCLE	GK5186009	MURRAY	USED
15	BICYCLE	65262337	MAGNA	USED
16	BICYCLE	GA52292880	ROADMASTER	USED
17	BICYCLE	69002218	MAGNA	USED
18	BICYCLE	31256BR03A	HUFFY	USED
19	BICYCLE	9265346	RALLYE	USED
20	BICYCLE	WYA8G03865	DYNO	USED
21	BICYCLE	SNFSD06AF3501	MONGOOSE	USED
22	BICYCLE	1113HUFFY2662	HUFFY	USED
23	BICYCLE	UNKNOWN	ROYCE UNION	USED
24	BICYCLE	01TD5238199	MAGNA	USED
25	BICYCLE	21I2F0943	HARO	USED
26	BICYCLE	ACA0E111338	DIAMOND BACK	USED
27	BICYCLE	44074035	NEXT	USED
28	BICYCLE	SNGNP05F35622	MONGOOSE	USED
29	BICYCLE	92472HUFFY23622	HUFFY	USED
30	BICYCLE	991D776768	NEXT	USED
31	BICYCLE	32631	MOSH	USED
32	BICYCLE	F2LL5C1989	HARO	USED
33	BICYCLE	UNKNOWN	GIANT	USED
34	BICYCLE	GP042488	GIANT	USED
35	BICYCLE	R902270594	RALEIGH	USED
36	BICYCLE	SAT40679	MONGOOSE	USED
37	BICYCLE	C50B5638	PACIFIC	USED
38	BICYCLE	C85A4003	GIANT	USED
39	BICYCLE	KK04E08473	HUFFY	USED
40	BICYCLE	8046905	COLUMBIA	USED
41	BICYCLE	UNKNOWN	UNKNOWN-BLK	USED
42	JOG STROLLER	NONE	BABY JOGGER	USED
43	ELECTRIC SAW	NONE	MAG 77	USED

4-G.2

ATTACHMENT A (PAGE 2 OF 2)

<u>#</u>	<u>EQUIPMENT/DESCRIPTION</u>	<u>SERIAL #</u>	<u>MAKE/MODEL</u>	<u>CONDITION</u>
44	ELECTRIC SAW	NONE	SKIL 367	USED
45	CORDLESS DRILL	NONE	PORTER CABLE	USED
46	GRINDER	NONE	PORTER CABLE	USED
47	LAWN ORNAMENT	NONE	BABY JESUS	USED
48	LAWN ORNAMENT	NONE	BABY JESUS	USED
49	LAWN ORNAMENT	NONE	PINEAPPLE	USED
50	LAWN ORNAMENT	NONE	PINEAPPLE	USED
51	LAWN ORNAMENT	NONE	CHILD	USED
52	CAR BUMPER	NONE	NONE	DAMAGED
53	DESK CHAIR	NONE	NONE	DAMAGED
54	MISC. CLOTHERS	NONE	NONE	USED
55	PRY BAR	NONE	WONDER BAR	USED
56	COIN COUNTER	9571000	BRANDT	USED
57	COIN CLEANER	UNKNOWN	ZENITH	USED
58	COMP. SERVER	MOM6LK831P	HP	DAMAGED
59	COMP. MONITOR	PZGN9CAO38689	CONNA 1770A	DAMAGED
60	TYPEWRITER	UNKNOWN	OLYMPIA	USED
61	COFFEE MAKER	NONE	BLOOMFIELD	USED

4-G.3

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

June 23, 2008

Consolidated Voucher 080623

<u>Fund No.</u>	<u>Fund Name</u>	<u>06/23/08 Voucher</u>	<u>06/13/08 Payroll</u>	<u>Total</u>
01	General	59,252.98	250,981.31	310,234.29
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax	566.93		566.93
23	TIF	2,010.00		2,010.00
24	ETSB	5,122.46		5,122.46
40	Capital Projects	372.80		372.80
50	Water	124,098.18	35,181.77	159,279.95
51	Parking	1,253.13	20,019.55	21,272.68
60	Equipment Replacement	753.60		753.60
70	Police Pension			0.00
75	Firefighters' Pension	339.94		339.94
80	Sewer	345.01	8,248.29	8,593.30
90	Debt Service			0.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>194,115.03</u>	<u>314,430.92</u>	<u>508,545.95</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

4-11

VILLAGE OF LA GRANGE

Disbursement Approval by Fund

July 14, 2008

Consolidated Voucher 080714

<u>Fund No.</u>	<u>Fund Name</u>	<u>07/14/08 Voucher</u>	<u>06/27/08 Payroll</u>	<u>07/11/08 Payroll</u>	<u>Total</u>
01	General	214,077.33	253,893.22	301,600.22	769,570.77
21	Motor Fuel Tax				0.00
22	Foreign Fire Insurance Tax				0.00
23	TIF	11,766.76			11,766.76
24	ETSB	16,786.72			16,786.72
40	Capital Projects	45,290.64			45,290.64
50	Water	134,991.64	37,282.95	54,264.02	226,538.61
51	Parking	6,579.52	20,363.22	20,052.41	46,995.15
60	Equipment Replacement				0.00
70	Police Pension				0.00
75	Firefighters' Pension	300.00			300.00
80	Sewer	8,059.53	9,190.32	14,838.59	32,088.44
90	Debt Service				0.00
91	SSA 4A Debt Service				0.00
93	SAA 269				0.00
94	SAA 270				0.00
		<u>437,852.14</u>	<u>320,729.71</u>	<u>390,755.24</u>	<u>1,149,337.09</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

Village Manager

Village Clerk

President

Trustee

Trustee

Trustee

Trustee

Trustee

Trustee

W-I

MINUTES

VILLAGE OF LA GRANGE
BOARD OF TRUSTEES REGULAR MEETING
Village Hall Auditorium
53 South La Grange Road
La Grange, IL 60525

Monday, June 9, 2008 - 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL

The Board of Trustees of the Village of La Grange regular meeting was called to order at 7:37 p.m. by President Asperger. On roll call, as read by Village Clerk Robert Milne, the following were present:

PRESENT: Trustees Kuchler, Langan, Palermo, and Wolf

ABSENT: Trustee Horvath and Trustee Livingston

OTHERS: Village Manager Robert Pilipiszyn
Assistant Village Manager Andrianna Peterson
Village Attorney Mark Burkland
Community Development Director Patrick Benjamin
Finance Director Lou Cipparrone
Public Works Director Ken Watkins
Police Chief Mike Holub
Fire Chief David Fleege

2. PRESIDENT'S REPORT

A. Resolution of Appreciation – Retirement of Public Works Director, Ken Watkins

President Asperger recited a Resolution of Appreciation for Public Works Director Ken Watkins and on behalf of the entire Village Board expressed sincere gratitude and deepest appreciation for his many years of public service by presenting him with an engraved plaque.

It was moved by Trustee Langan to approve the Resolution of Appreciation for Public Works Director Ken Watkins, seconded by Trustee Palermo. Approved by unanimous voice vote.

4-5

B. Re-appointments – Advisory Boards and Commissions

President Asperger recommended the reappointments of the following: Mr. Mark Lies who resides at 437 S. Spring to serve on the Board of Fire and Police Commission until 2010; Mr. Larry Gess who resides at 140 S. Sixth to serve on the Board of Fire and Police Commission until 2011; Ms. Taylor Jaeger who resides at 420 Burlington, #403 to serve on the Community and Economic Development Commission until 2011; Mr. Roger Laven who resides at 14 S. Ashland, #210 to serve on the Community and Economic Development Commission until 2011; Ms. Margaret Carlson who resides at 1105 W. Hillgrove to serve on the Community and Economic Development Commission until 2011; Ms. Andrea Barnish who resides at 1101 W. Cossitt to serve on the Design Review Commission until 2010; Ms. Regina McClinton who resides at 208 East to serve on the Design Review Commission until 2011; Mr. Matthew Malec who resides at 500 S. Edgewood to serve on the Design Review Commission until 2011; Ms. Barb Wolf, who resides at 213 S. Ashland to serve on the Emergency Telephone System Board until 2009; Mr. Lou Cipparrone to serve on the Firemen's Pension Board until 2011; Mr. William Holder who resides at 611 S. Waiola to serve on the Plan Commission until 2011; Mr. Wayne Kardatzke who resides at 79 S. Seventh to serve on the Plan Commission until 2010; Mr. Mike Holub to serve on the Police Pension Board until 2010; Ms. Ellen Brewin, who resides at 217 S. Park to serve on the Zoning Board of Appeals until 2011; Mr. Ian Brenson who resides at 301 S. Park to serve on the Zoning Board of Appeals until 2011; Mr. Nat Pappalardo who resides at 212 E. Elm to serve on the Zoning Board of Appeals until 2011; and Ms. Nancy Pierson who resides at 408 Sunset to serve on the Zoning Board of Appeals until 2011.

It was moved by Trustee Langan to approve the reappointments as recommended, seconded by Trustee Wolf. Approved by unanimous voice vote.

President Asperger expressed heartfelt sympathy to the DeVries family at the loss of Richard "Dick" Devries founder of DeVries Grocery and Market.

A thank you was extended to the departments of Public Works, Police and Fire for their hard work in the preparation related to the success of the recent Pet Parade.

Special thanks was also extended to the La Grange Garden Club for their efforts in designing and assisting with the plantings throughout the Village.

President Asperger proudly noted that La Grange was recently featured on CLTV's Metromix and invited residents to view the video clip at www.cltv.com.

4-5.1

The Robert E. Coulter American Legion Post 1941 will conduct a flag disposal ceremony on Flag Day, June 14, at 6:00 p.m. for residents who wish to respectfully dispose of unserviceable, torn or faded flags.

The public is invited to attend the continued discussion of the La Grange Theater which will be at the next regular Village Board meeting on June 23.

The fireworks display for the 4th of July at the La Grange Country Club will no longer be open to the public. Alternate viewing areas were announced.

Lastly, President Asperger noted that the Closed Session as listed on the agenda is canceled for this evening.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Mary Nelson, 1200 Carriage Lane expressed her thanks to Public Works personnel. Ms. Nelson also expressed her hopes that DeVries family members would continue to operate the business.

4. OMNIBUS AGENDA AND VOTE

- A. Ordinance (#O-08-13) – Special Use/Site Plan Approval to Allow Stone Cutting and Grinding with Outdoor Storage Within the I-ILight Industrial District, Granite Planet, Inc., 26 N. Beach Avenue
- B. Ordinance (#O-08-14) – Resubdivision of Lots, 71-75 S. La Grange Road
- C. Award of Contract – Replacement of Audio / Visual System, Village Hall Auditorium (Roscor, Mount Prospect, Illinois \$44,782.19)
- D. Professional Services Agreement – Executive Recruitment Services / Director of Public Works (PAR Group, Lake Bluff, Illinois - \$13,500)
- E. Ordinance (#O-08-15) and Resolution (#R-08-06) Continuation of Local Elevator Inspection Program
- F. Ordinance (#O-08-16) Prevailing Wages
- G. Consolidated Voucher 080526 (\$644,505.88)
- H. Consolidated Voucher 080609 (\$524,211.68)
- I. Minutes of the Village of La Grange Board of Trustees Regular Meeting, Monday, May 12, 2008

4-5.2

It was moved by Trustee Langan to approve items A, B, C, D, E, F, G, H, and I of the Omnibus Agenda, seconded by Trustee Palermo. Approved by roll call vote.

Ayes: Trustees Kuchler, Langan, Palermo, Wolf and President Asperger
Nays: None
Absent: Trustee Horvath and Livingston

Trustee Palermo inquired about several issues relating to the purchase of the sound system for the Village Hall Auditorium and Assistant Village Manager Andrianna Peterson responded accordingly.

5. CURRENT BUSINESS

A. Special Event – La Grange Art & Craft Fair: Referred to Trustee Wolf

Trustee Wolf noted that the Village has received a request from the La Grange Business Association to hold the annual art and craft fair on Saturday and Sunday, July 12 and 13, 2008. The location utilized for the past few years was found to be favorable and is being requested again this year, however it will again be necessary for the Board to approve various road closures.

It was moved by Trustee Wolf to approve the closure of Harris Avenue west of La Grange Road to Ashland Avenue and Madison Avenue from Harris Avenue south to just north of the entrance to the parking lot located at Harris and Madison Avenues and the closure of Village Parking Lots 3 and 4 on July 12 and 13, 2008 for the 2008 La Grange Art and Craft Fair, seconded by Trustee Langan. Approved by a roll call vote.

Ayes: Trustees Kuchler, Langan, Palermo, Wolf
Nays: None
Absent: Trustees Horvath and Livingston

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn noted that the Des Plaines Valley Mosquito Abatement District has notified the Village that it has commenced with treatment operations for the 2008 mosquito season. Mr. Pilipiszyn indicated that the District may utilize chemical spraying as a preventative means and referred the public to the District's website at www.desplainesvalleymad.com.

Mr. Pilipiszyn reminded residents that sprinkling restrictions are in effect.

Lastly, Mr. Pilipiszyn publicly thanked Public Works Director Ken Watkins for his years of service and wished him well in his retirement.

4-3.3

7. PUBLIC COMMENTS NOT ON AGENDA

Mary Nelson, 1200 Carriage Lane, as a Library Trustee invited the public to attend an Open House at the Library on Wednesday, June 18 in honor of retiring Library Executive Director Steve Moskal.

Harold Held, 124 S. Waiola Avenue, presented information relative to the environmentally safe and proper disposal of fluorescent light bulbs. President Asperger noted that the West Central Municipal Conference is working on locating areas to properly dispose of such items.

8. EXECUTIVE SESSION

A. Closed Session – Purchase, Sale, or Lease of Real Property. *Cancelled.*

9. TRUSTEE COMMENTS

Trustee Palermo praised the youth from Lyons Township High Schools in their efforts to raise funds for cancer research with the “Relay for Life” event. Trustee Palermo also encouraged residents to drop off worn or unserviceable flags at the Fire Department for proper disposal.

Trustee Kuchler extended congratulations to retiring Public Works Director Ken Watkins. Trustee Kuchler expressed condolences to the DeVries family for their loss.

10. ADJOURNMENT

At 8:20 p.m. it was moved by Trustee Langan to adjourn, seconded by Trustee Palermo. Approved by unanimous voice vote.

Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

Approved Date

4-3.4

CURRENT BUSINESS

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk
Board of Trustees and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Community Development Director

DATE: July 14, 2008

RE: **ORDINANCE - VARIATION - MAXIMUM GROSS FLOOR AREA OF A
DETACHED GARAGE/JOAN AND KURT HOIGARD, 345 S. 6TH AVENUE**

Joan and Kurt Hoigard, owners of the property at 343 and 345 S. Sixth Avenue, have applied for a variation in order to construct a detached garage. The petitioners reside at 345 S. 6th Avenue. In 2006, they purchased the property directly to the north of their house (343 S. 6th Ave.) They wish to demolish the single family house and one-car attached garage at 343 S. 6th, remove the 543 square foot detached garage at 345 S. 6th and replace the structures with a new three-car 726 square-foot detached garage.

The subject property is located in the R-3 Single Family Residential Zoning District. The property in question is currently two zoning lots. The petitioners propose to consolidate the lots to create one zoning lot measuring 150 ft. wide by 150 ft. deep. This lot would be larger than most single lots.

The maximum allowable gross floor area for a detached garage on the subject property is 660 square feet, which is the largest garage permitted on any lot in the Village. According to the petitioner, a garage that is 33 feet wide by 20 feet deep (660 square ft.) as allowed by Code cannot accommodate three vehicles. Therefore, they propose to construct a 33 feet wide by 22 feet deep garage, an excess of 66 square feet from the allowable zoning.

As proposed, the garage meets the required setbacks and maximum building and lot coverage requirements of the Zoning Code, but exceeds the maximum gross floor area of a detached garage set forth in Subparagraph 9-101C4(c) by 10%. The Village Zoning Code allows an increase in the maximum allowable gross floor area of a detached garage by no more than 10%. The requested variation falls within the authorized limits of the Zoning Code.

On June 19, 2008, the Zoning Board of Appeals held a public hearing on this matter (see Findings of Fact). At the public hearing, the petitioners presented the application. The motion to recommend that the variation be granted as requested failed: two (2) ayes and four (4) nays. Pursuant to Subsection 13-102D of the Zoning Code, at least four aye votes are required to decide in favor of any application.

5-A

Although the Commissioners generally agreed that the request was reasonable and in keeping with the historic character of the area, those Zoning Board members recommending denial stated that they felt that the application did not meet two of the required standards for variation: (1) unique physical condition: according to the Zoning Code, this standard includes a lot that is “irregular or substandard shape or size”; whereas, the subject zoning lot is larger than typical properties in the Village; and (2) not merely a special privilege: even on larger than average lots, residents are not permitted to construct detached garages that exceed 660 square feet within the Village’s single family districts.

Members voting in favor felt that this project meets the intent of the Zoning Code to decrease bulk and increase green/open space on the property, the property is unique due to the large size of the lot, and the design is compatible with the neighborhood and the original design of the historic house. The Hoigards have indicated that without the variation in order to construct the larger garage, they would attach the proposed garage to their house. This option would not be in keeping with the historic character of the property and neighborhood.

It is clear from their discussion that the Zoning Board struggled with this matter. While the applicant did not meet the criteria for a variation, the proposed design works intuitively for the property. The following facts support approval of this variation: larger than average lot size, overall proportion of the garage to the house and property, increased green space, compatible historic design, and reduced bulk of the detached garage versus the attached garage that would be permitted by the Code.

If you concur with the recommendation of the Zoning Board of Appeals to deny the request, then a motion to deny the variation is in order. No resolution or ordinance memorializing such action is necessary. Conversely, should you choose to grant the variation, a motion to approve the attached ordinance authorizing the variation would be appropriate. If voting for the variation, it would be appropriate to articulate the reasons for such an approval to establish a legislative record.

Please note that in accordance with State Statute, the approval of any proposed variation which fails to receive the approval of the Board of Appeals will not be passed except by the favorable vote of two-thirds (2/3) majority vote by roll call of all Trustees currently holding office (four out of six Trustees).

Staff has prepared the attached ordinance authorizing the variation for your consideration.

5-A,1

VILLAGE OF LA GRANGE

ORDINANCE NO. O-08-_____

AN ORDINANCE GRANTING A ZONING VARIATION
FOR CONSTRUCTION OF A DETACHED GARAGE
AT 343 & 345 S. SIXTH AVENUE

WHEREAS, Joan and Kurt Hoigard are the owners (the "Owner") of the property commonly known as 343 & 345 S. 6th Avenue, La Grange, Illinois, and legally described as follows:

Lots 14 and 15 in Block 18 in Leiter's Second Addition to La Grange, being a subdivision of that part of the west 1095 feet of the southeast quarter of Section 4, Township 38 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois, lying north of the south 710 feet thereof, in Cook County, Illinois.

Lot 16 in Block 18 of Leiter's Second Addition to La Grange, a subdivision of that part of the west 1095 feet of the southeast $\frac{1}{4}$ lying north of the south 710 feet of Section 4, Township 38 North, Range 12 east of the Third Principal Meridian, in Cook County, Illinois.

(the "Subject Property"); and

WHEREAS, the Owner has applied for a variation from the Maximum Allowable Gross Floor Area of a Detached Garage by Subparagraph 9-101-C4(c)(iii) of the La Grange Zoning Code in order to construct a 33 feet by 22 feet (726 square foot) detached garage on the Subject Property; and

WHEREAS, the La Grange Zoning Board of Appeals conducted a public hearing to consider the application on June 19, 2008, pursuant to proper public notice; and

WHEREAS, the President and Board of Trustees have reviewed the record of the public hearing and the Findings and Recommendation of the Zoning Board of Appeals and have determined that the application satisfies the standards set forth in the La Grange Zoning Code for the grant of a variation;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Grant of Variation. The Board of Trustees, pursuant to the authority granted to it by the laws of the State of Illinois and the La Grange Zoning Code, hereby grants to the Owner a variation from the maximum allowable gross floor

5-A.2

area of a detached garage of Subparagraph 9-101-C4(c) (iii) of the La Grange Zoning Code to increase the area of a detached garage on the Subject Property by sixty-six (66) square feet for a detached garage, subject to all of the following conditions:

- A. The variation is granted only to authorize construction of 33 feet by 22 feet detached garage in substantial conformity with the design drawings and site plan attached to this Ordinance as Exhibit A (the "Approved Design"). The permit drawings to be prepared by the Owner must conform to the Approved Design.
- B. If the garage is constructed in violation of any term or condition of this Ordinance, then the Village may order the garage to be demolished and may rescind the approval granted by this Ordinance.
- C. Before the Village issues a building permit for the Project, the Applicant must submit properly prepared plats of consolidation for the entire Property.

Section 3. Effective Date. This Ordinance will be in full force and effect from and after (a) its passage, approval, and publication in pamphlet form as provided by law, (b) execution by the Owner, and (c) approval by the Village's Director of Community Development of conforming plans for the garage as required by Subsection 2A of this Ordinance.

PASSED this _____ day of _____ 2008, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED by me this _____ day of _____ 2008.

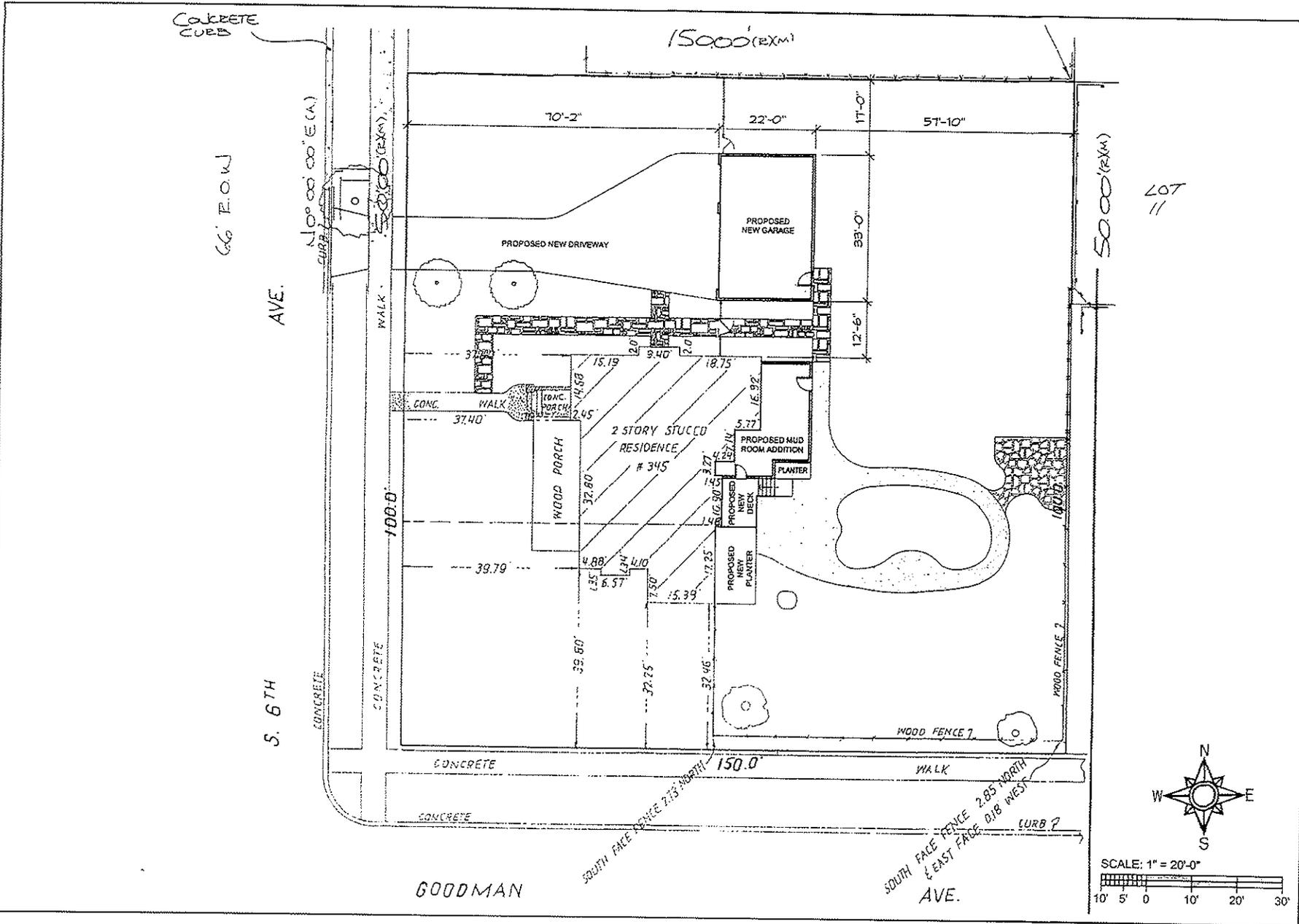
Elizabeth M. Asperger, Village President

ATTEST:

Robert N. Milne, Village Clerk

5-A,3

May 13, 2008 - 2:06pm - hsp/ceet
 C:\WP\1003\1003.dwg - 651208.dwg



Raths, Raths & Johnson, Inc.
 Structural Engineers - Architects - Building Scientists
 835 Midway Drive Waukegan, Illinois 60087 830/926-0160
 DATE 03-13-08 DRAWN BAG CHECKED KRH SCALE 1" = 20'-0"

PROPOSED SITE PLAN
HOIGARD RESIDENCE
 PLUS ADJACENT SITE
 LAGRANGE ILLINOIS



JOB NO.
 SHEET NO.
2

FINDINGS OF FACT

ZONING BOARD OF APPEALS
OF THE
VILLAGE OF LA GRANGE

June 19, 2008

President Asperger and
Board of Trustees

RE: **ZONING CASE #570 - VARIATION – MAXIMUM GROSS FLOOR AREA OF A
DETACHED GARAGE/JOAN AND KURT HOIGARD, 343 & 345 S. 6TH AVENUE.**

The Zoning Board of Appeals transmits for your consideration, its recommendations for a request of zoning variation necessary to construct a detached garage at the property at 343 & 345 S. 6th Avenue.

I. THE SUBJECT PROPERTY:

The property in question consists of two adjacent lots of record, one with a 100 width and the second having 50 foot width. Both have a depth of 150 feet.

II. CHARACTERISTICS OF THE SURROUNDING AREA:

The subject property is located in the R-3 Single Family Residential District.

III. VARIATIONS SOUGHT:

The petitioners seek a variation from Sub Paragraph 9-101C4(c)(iii) (Maximum Allowable Gross Floor Area of a Detached Garage) of the La Grange Zoning Code by 66 square feet or 10%. Subparagraph 14-303E1(o) (Authorized Variations) allows the increase of the gross floor area of a detached garage accessory to a single family dwelling by not more than 10. The requested variation falls within the authorized limits of the Zoning Code.

IV. THE PUBLIC HEARING:

After due notice, as is required by law, (including legal publication, posting at the subject property and courtesy notices to owners within 250 feet of the subject property) the Zoning Board of Appeals held a public hearing on the proposed variation in the La Grange Village Hall Auditorium on June 19, 2008. Present were Commissioners Nathaniel Pappalardo, Rosemary Naseef, Nancy Pierson, Ian Brenson, Charles Benson, Jr. (arrived at 7:35 p.m.) and Chairperson Ellen Brewin presiding. Also present was Assistant Community Development Director Angela Mesaros and Village Trustee Jim Palermo. The applicants, architects and village residents gave testimony under oath. No objectors appeared at the hearing and no written objections have been filed to the proposed variation.

5-A.5

Chairperson Brewin swore in Joan and Kurt Hoigard, owners of the property at 345 S. 6th Avenue, and Kirsten Kingsley, architect, who presented the application and answered questions from the Commissioners:

- Mr. Hoigard stated that his home was designed in 1916 by locally renowned architect Joseph Llewellyn. As designed, a stained glass window, which faces north, had a view of open space. However, the current view is a brick wall and tar roof of the house at 343 S. 6th Avenue that was constructed in 1954.
- They propose to demolish the house at 343 S. 6th, combine the lots and site the garage where the house exists in order to restore the view. The garage will be further from the north property line and rear line than is typical of detached garages.
- The request is for an allowable variation of 10%, 66 square feet, in order to construct a 726 square-foot detached garage. The Petitioners indicated their view that the intent of the Code is to limit the bulk of structures in close proximity to property lines. The proposed garage would be further away from the property lines than the existing single family home.
- The new garage would add approximately 2,500 square feet of green space back to their property.
- The Petitioners feel that aesthetics is important and this project would help achieve a goal of this Village to encourage detached garages.
- The dormers, shape of the roof, proportions, and piers between the doors have been designed to match the house with a historically appropriate design.
- The proposed garage would be 33 feet wide by 22 feet deep. The Hoigards contend that this is comparable to an extrapolation from the measurements of a standard two car garage, which is 22 feet wide by 22 feet deep -- with a single car bay measuring 11 feet wide and a depth of 22 feet – to a three car garage. The Hoigards submitted site plans and a presentation of the variation standards to the Village Board as Exhibit 1 and Exhibit 2.
- Ms. Kingsley stated her view that that the goal of the Zoning Code is keeping the historic character and to reduce bulk. She stated that the Commissioners and the Village should look at the intent of the Code. They are actually asking for less coverage than the current site configuration for both lots. Although, they do not want to connect this garage as an attached garage, they will do so if they do not receive this variance. Ms. Kingsley challenged the Commissioners to decide what is best for the community.

- Mr. Hoigard stated that the proposed garage is smaller than their original design. They have no “Plan B” if they do not receive the variation. If they cannot construct this garage as requested, they will construct an attached garage with a building addition connecting it to the house and camouflaged by shrubbery. They feel that this would not be within the best interests of the community, their own property or the Village.
- The Hoigards were unable to discover any evidence that the lot located at 343 South 6th was ever owned by any owners of 345 South 6th. In addition, they indicated that there is no evidence of any previous type of “coachhouse” garage or building on their property that might have been larger than the currently existing garage.

Chairperson Brewin solicited questions from the Audience:

- Kathy Ross Miller, 339 S. 6th Avenue, stated she lives directly next door to the lot located at 343 S. 6th and supports this proposal. She further stated that she feels an attached garage would decrease the aesthetics of the block.
- Jack Thomas, 311 S. 6th Avenue, stated that he also owns a Llewellyn designed home. He is in full support of the variation. He feels that it would be good for the neighborhood and good for the Historical Society.
- Chairperson Brewin stated that the ZBA has received two emails in support of the variation, one from Dave & Cathy Bier, 340 S. 7th, and another from Bill Ganey, 346 S. 7th, which will be included in the record and are attached.

Chairperson Brewin solicited questions from the Commissioners:

- Commissioner Benson asked why they proposed a 22 foot deep garage instead of a 20 foot deep garage. Answer: It is difficult to get the doors closed with only 20 feet and they feel the industry standard is 22 feet.
- Chairperson Brewin asked why this case is unique. Answer: The placement of the garage would be further from the lot lines, not imposing on the neighbors and located on a very large lot.
- Chairperson Brewin asked about the condition of the current garage. The Hoigards stated that their current garage is 26 feet wide and 20 feet deep. (520 square feet) This current depth makes it difficult to close the door once their standard sized family van is in the garage. The garage is currently in good structural condition and not in need of repair.
- Commissioner Pappalardo asked about whether or not the properties were ever combined or owned by the same owners and about the existence of any previously built coach

5-A.7

house type building on the property at 345 South 6th. The Hoigards indicated that they were unable to discover any evidence that the lot located at 343 South 6th was ever owned by any owners of 345 South 6th. In addition, they indicated that there is no evidence of any previous type of “coachhouse” garage or building on their property that might have been larger than the currently existing garage.

Under the provisions of the Zoning Ordinance, no variation shall be granted unless the applicant establishes that carrying out the strict letter of the provisions of this code would create a particular hardship or practical difficulty. Such a showing shall require proof that the variation sought satisfies certain conditions. The following facts were found to be evident:

1. Unique Physical Condition:

The subject property is currently two zoning lots. The petitioners propose to consolidate the lots to create one zoning lot measuring 150 ft. wide by 150 ft. deep. The minimum width of a standard zoning lot in LaGrange generally measures 50 ft. wide.

The Zoning Code gives guidance as to how the Zoning Board is to determine ‘unique physical condition’ as a matter of fact. First, there could be a finding of a unique situation if there was an existing use, structure or sign that would create a hardship for petitioner. If, as petitioners’ state, they wish to demolish the exiting home, there will be none. Based upon the evidence presented at the hearing, there is also neither an “irregular or substandard shape” nor any “exceptional topographical features.”

Finally, the fact that combined lots will be 150 feet wide does not amount to an “extraordinary physical condition . . . inherent in the subject property.” While the proposed zoning lot would be larger than most standard single lots in the R-3 Single Family Residential Zoning District, this is not a factor specified by the Zoning Code for consideration under this section of the Zoning Code to support the granting of a variation. The language of the Zoning Code in regard to the granting of variations focuses on assisting owners of property that may be *substandard* in size or may have *serious physical limitations* that do not permit a minimum sized home and/or necessary accessory structure. The Code also requires that owners of property provide parking space for two vehicles but does not extend that requirement beyond that to three cars. Nothing in the language of the Code appears to speak to assisting property owners whose property is larger than normal or who wish to construct a garage for more than two cars.

In addition, there are not an insubstantial number of other similarly sized (or even larger sized) lots in LaGrange, including two 125 foot wide lots on this block alone as well as a lot of at least 100 feet wide further north on the block which has a pool that crosses the lot line into another 50 foot lot. (See map attached to Staff Report). In particular, two lots are often

5-A-8

deemed a “double lot.” Petitioners’ lots and the other mentioned lots on this block are “double lots” plus additional space. The particular configuration just north of petitioner’s two pieces of property appears to be substantially similar to petitioners’ situation. Both are at least “double lots” plus another single lot. The maximum side rule also applies to these and other numerous lots in LaGrange, some of which are larger than petitioners’.

Based upon the above facts, petitioners’ property does not fall within the “unique physical condition” exception as set forth in the Zoning Code.

2. Not Self-Created:

According to the petitioners, when their house (345 S. 6th Avenue) was designed in 1916, the lot to the north (343 S. 6th) was an open space. There is no evidence that this lot was ever part of petitioners’ property in the past. Neighbors have indicated to petitioners that it was viewed as a kind of “park” in the past. Sometime after World War II, a house was constructed on this lot. The petitioners have made no changes to either property that would effect the allowable detached garage size. At the same time, petitioners purchased this property with the knowledge of the maximum size permitted for a three-car garage on either lot or a combination of the lots.

3. Denied Substantial Rights:

The petitioners seek to construct a detached garage that is larger than would be permitted on any single-family property in the Village. Petitioners base their proposed 33 feet wide by 22 feet deep garage by extrapolating from the size that is consistent with the zoning allowance of 22 ft by 22 ft for a *two-car garage* (11 feet per stall for width). However, the ZBA has typically granted variations for two-car garages that measure 22 ft wide by 19 or 20 ft deep (approx. 440 square feet), which is consistent with the maximum allowable garage of 33 ft. by 20 ft. (660 square feet) that is permitted on the subject property as of right. The ZBA has also granted larger variations (22 X 22) based upon evidence showing that the requested variation is the “minimum size” needed. The ZBA has also granted these larger two car garage variation requests based upon an understanding that citizens will need to be able to store not just two cars in a garage, but also some additional family items, such as garden tools, bikes and other similar items. There is no indication that the Village Board in formulating the maximum size for a three car garage used an exact extrapolation method based upon the permitted size of a two car garage. More likely, the Board determined that space for the third bay not need be as large as the other two bays inasmuch as the stroller, bikes, tools etc would be stored in one of the other bay areas and the 3 car garage would not have to be proportionately larger than a 2 car garage. By designating the size as a square footage maximum, the Code leaves it to the owner to determine the particular configuration that meets each family’s situation. Some families may want a wider garage while others may opt for a deeper garage. The map for many of the properties on this block does not show any

5-A.9

other garages of the size requested by petitioners. No other petitioners have been granted a variation from the maximum size for a three-car garage since the inclusion of this rule in the Zoning Code. Since the Code speaks to the requirements for providing space for two cars to park off street, the inability of petitioners to construct a three car garage larger than the maximum size allowed cannot be deemed at this point to deny substantial rights.

4. Not Merely Special Privilege:

The petitioners argue that the proposed 726 square feet garage is not a special privilege, because residents in the immediate neighborhood have legal non-conforming garages that exceed the current standards for allowable size. It may be that some owners of two car garages in the neighborhood have garages that are currently non-conforming structures. The map for the properties on this block, however, does not show any other garages of the size requested by petitioners. (See, map attached to Staff Report). The maximum allowable gross floor area for a detached garage for properties similar in size to the petitioner's property is 660 square feet. This is the largest detached garage permitted on any lot in the Village. No other petitioners have ever been granted, a variation from the maximum size for a three car garage since the inclusion of this rule in the Zoning Code. This could create a precedent for other similarly situated owners of lots of this size to seek similar zoning variation relief.

5. Code and Plan Purposes:

In 1999, at the Village Board's request, the Plan Commission held workshops and public hearings to address concerns related to the bulk, height and permitted uses of garages. The Village Board established a formula that ties the maximum allowable floor area of a detached garage to the size of the lot on which it is constructed, up to a desired maximum. The zoning regulation allows a two-car garage on standard/small lots, while allowing the larger three-car garage on larger lots. This standard was intended to maintain consistency between lot size and garage size, while limiting the bulk of structures located in close proximity (minimum setback of 3 feet) from neighboring properties. There was also consideration of how best to protect the public from the possibility of garages that were very large from becoming living space either for additional family members or possible family employees.

According to the petitioners, their proposal would decrease overall bulk and building coverage of the property. In addition, the proposed garage would be located approximately 57 feet from the rear lot line and 17 feet from the side lot line. Both setbacks are larger than the required 3 feet; therefore, the garage would have less impact on the neighboring properties.

6. Essential Character of the Area:

According to the petitioners, granting the requested variation would not adversely affect the

5-14-10

character of the neighborhood. This proposal would bring the property close to the original design of the house and would be consistent with the historic character of the property.

7. No Other Remedy:

Petitioners have other remedies available to them in regard to their desire to construct a three-car garage on the subject property.

First, this would include the construction of a new three car detached garage up to 660 square feet as permitted by the Zoning Code. This is the size that the Village, by its Code, has already determined is adequate in size for three cars and other personal gear.

Second, Petitioners also appeared unwilling to reduce the size of the request to the absolute minimum required in that they stated that they had no “Plan B” as an alternative. Petitioners could also have presented evidence as to why the particular size garage sought was the minimum size needed. Generally owners are to be granted the only minimum relief necessary. At best, petitioners were unclear as to why this particular size garage was the minimum necessary for the needs of the site. Petitioners stated that the depth of 22 feet was required due to parking considerations for a van but did not address why the width could not have been adjusted. Moreover, some Commissioners questioned whether or not the 22-foot depth as requested is absolutely necessary.

Another option would be to construct an attached garage of similar size. The petitioners believe that this option would add bulk to the property.

Petitioners could also continue to use their current garage, which is in good structural condition.

Finally, another option would be for Petitioners to seek a zoning amendment. Petitioners’ request is one that is a general one arising out of their personal situation, rather than the property, and possibly effects many other similarly situated zoning parcels in the same way.

When that is the situation, the proper remedy is to seek a legislative change, i.e., a zoning amendment, rather than an administrative solution, i.e., – a variation.

Given all of the above, it is clear that petitioners have a variety of options and/or remedies other than a zoning variation.

V. FINDINGS AND RECOMMENDATION:

- Commissioner Brenson commended the Hoigards on their thorough presentation. However, he is not convinced that the case satisfies the standard for unique physical

7
5-A.11

condition. He is also concerned with the argument that a deeper garage is necessary. If that were the case, anyone would be entitled to a twenty-two foot deep garage.

- Commissioner Pierson stated that she believes the property is unique in that this property is actually two zoning lots of record (total 150 feet wide).
- Chairperson Brewin stated that 660 square feet is the ultimate limitation, the maximum size garage permitted, no matter the lot size of the property. She is concerned with maintaining the consistency of this Code.
- Chairperson Brewin stated that while she may not completely agree with the maximum size of garages reached back in 1999, the Village held numerous meetings in 1999 and it was thoroughly discussed in the open. Any resident could have attended the meetings at that time. It is not within the purview of the Zoning Board's power to recast the rule because of a disagreement with the rule. In reviewing any cases before it, the ZBA is bound by this rule and the variation standards set forth in the Code.
- Commissioner Pappalardo stated that as a resident, due to the large lot size and the location of the house on the lot, he would like to be able to recommend to the Village Board that this is a reasonable request. However, he does not believe it is within the freedom of the Zoning Board to rule against the Zoning Ordinance unless the particular facts support the variation. Whatever the reason, the maximum car garage has been limited to 660 square feet no matter how big the lot.
- Commissioner Benson stated that he believes that this case, a 15,000 square foot lot is a unique situation. The request for ten percent is an authorized variation and that the Village should be able to approve the variation in this circumstance. With the variation, the property would actually have less bulk and lot coverage.
- Commissioner Naseef stated that she felt the Petitioners had a lovely presentation. She stated that, while the request may appear reasonable in that the design is very attractive, she feels that it does not meet the criteria set forth in the Code. She feels that the Village Board is bound by the same standards as the Zoning Board, but that they have the right and ability to change the Code if they wish to allow a larger garage. In particular, she does not feel that this is a unique situation - rather that it would be the granting of a special privilege.

There being no further questions or comments from the audience or the Commissioners, a motion was made by Commissioner Benson and seconded by Commissioner Pierson that the Zoning Board of Appeals recommend to the Village Board of Trustees approval of the application submitted with ZBA Case #570.

Motion Failed by a roll call vote (2/4/1).

AYE: Benson and Pierson.
NAY: Pappalardo, Naseef, Brenson and Brewin.
ABSENT: Schwappach.

BE IT THEREFORE RESOLVED that the Zoning Board of Appeals failed to recommend approval to the Village Board of Trustees of the variation from Paragraph 9-101C4(c)(iii) (Maximum Gross Floor Area of a Detached Garage) of the Village of La Grange Zoning Code by 66 square feet.

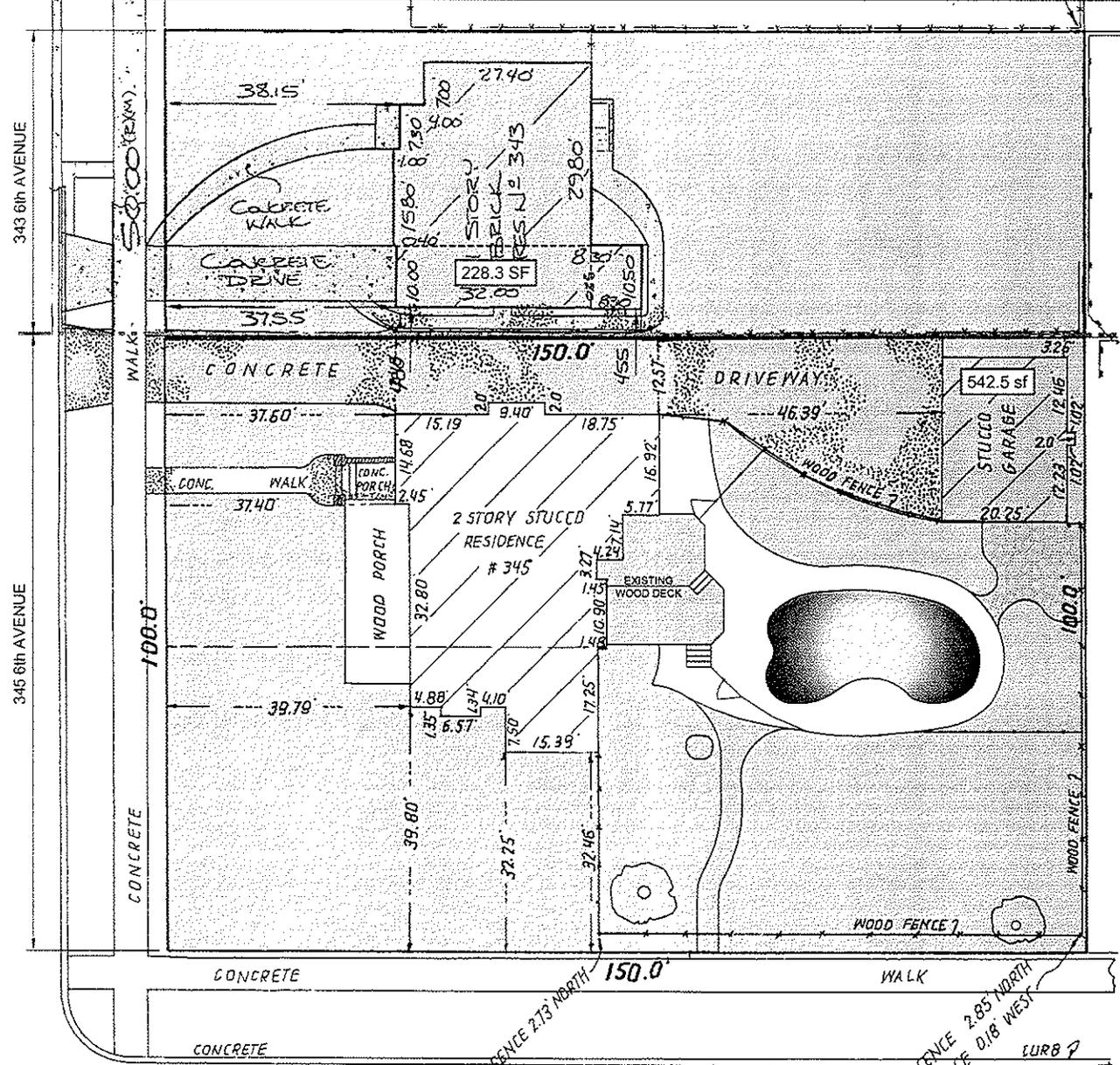
Respectfully submitted:

Zoning Board of Appeals of the
Village of La Grange

BY: Ellen Brewin
Ellen Brewin, Chairperson

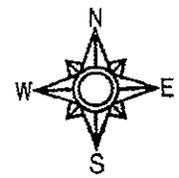
9
5-14-13

Exhibit 1 p 1



EXISTING GARAGE AREAS	
343 6th Avenue	228.3 sf
345 6th Avenue	542.5 sf
Total Area	770.8 sf

EXISTING SITE PLAN
SCALE 1/8" = 1'-0"



EXISTING SITE PLAN

HOIGARD RESIDENCE
345 6TH AVENUE
LANSING

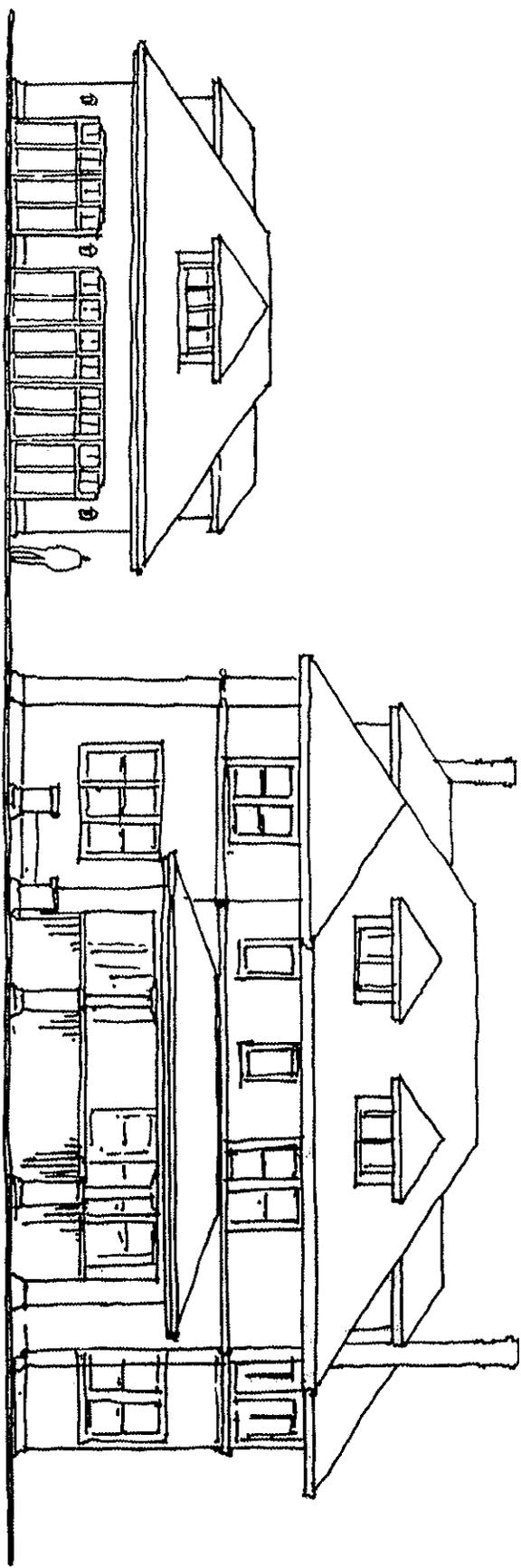
Raths, Raths & Johnson, Inc.
Architectural Engineers, Architects, Planners
833 Albany Drive, Westborough, MA 01581-2900
DATE: 06-11-08 DRAWN: BAG SCALE: 1/8" = 1'-0"
CHECKED: [Signature] DATE: [Blank] PER: [Blank]

NO.	DATE	REV.

ISB NO. [Blank]
SHEET NO. [Blank]

Ex 1.3

WEST ELEVATION



HOIGARD RESIDENCE
 345 6TH AVENUE, LA GRANGE, IL 60525

KINGSLEY + GHANOO ARCHITECTS
 3128 FINE AV ARLINGTON HTS ILLINOIS 60007
 3-78-08

Ex 1.3
5-A-16

GARAGE SIZE COMPARISON

Standard LaGrange 2-Car Garage

- 1 Vehicle = 11' x 22'

Requested 3-Car Garage

- Built to Standard 2-Car Proportions
- 1 Vehicle = 11' x 22'

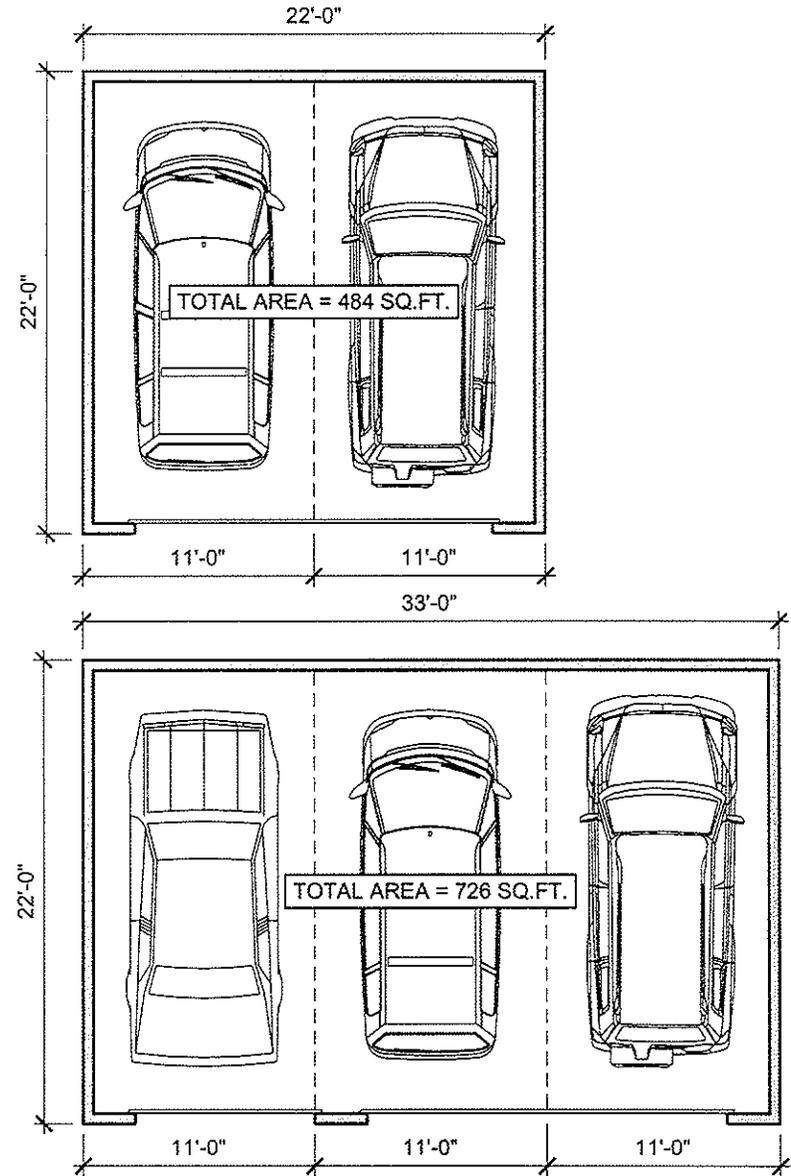


Exhibit 1 p. 5

EX. 1-5



Tradition and Pride
Moving Forward



[Home](#)
[Village Code](#)
[Home](#)



ARTICLE IX

ACCESSORY USES AND STRUCTURES; TEMPORARY USES; HOME OCCUPATIONS; BUFFERS AND LANDSCAPING; FENCES PERSONAL WIRELESS SERVICES

9-101 ACCESSORY USES AND STRUCTURES

(c) Storage of Vehicles in Garages: Any number of Class I, Class II, or Class III vehicles may be stored in a garage in a residential district provided (1) that said garage complies with all applicable provisions of this Code, and (2) that Class III vehicles shall be stored only in a completely enclosed garage, and (3) that the door openings on a front-loading garage that is not a detached garage shall not exceed a total width of 18 feet on any lot zoned in a single family residential district that is 50 feet or less in lot width, and (4) no detached garage in any single family residential district shall exceed the following gross floor area maximums:

- (i) Lots 6,500 square feet or less in total lot area: 484 square feet;
- (ii) Lots 6,501 to 10,000 square feet in total lot area: 600 square feet;
- (iii) Lots greater than 10,000 square feet in total lot area: 660 square feet.

ARTICLE XIV

ZONING APPLICATIONS, HEARINGS, AND APPROVALS

PART III: INTERPRETATIONS, APPEALS, AND VARIATIONS

14-303 VARIATIONS

E. Authorized Variations.

(o) To increase by not more than 10 percent the maximum allowable gross floor area of a detached garage accessory to a single family dwelling.

Village Staff Report

The detached garage zoning regulation was intended to “limit the bulk of structures located in close proximity (minimum setback of 3 feet) from neighboring properties.”

5-14-18

ZBA Case #570 Variation Standards

345 & 343 6th Ave
Joan & Kurt Hoigard

1. Unique Physical Condition

- The combined property will be 150 x 150, allowing us the opportunity to pull the garage well off side, back and front lot lines
- “Presence of an existing use”
 - Combined property already has 770 sq ft of garage space

S-A.20

EX. 2-2

2. Not Self- Created

- “The petitioners have made no changes to the property that would affect the allowable detached garage size.” (Ref: Village Staff Report)

Ex. 2-3

5-14-21

3. Denied Substantial Property Rights

- 345 6th Ave
 - Home fully situated on 15,000 sq. ft. lot
 - Code allows 660 sq. ft. of detached garage space
- 343 6th Ave
 - Separately buildable 7500 sq. ft. lot
 - Code allows 600 sq ft of detached garage space
- Removal of house at 343 6th (without replacing it with another house) triggers denial of right to access **any** of its currently allowed 600 sq. ft. of detached garage space
- Our request is only to retain the right to 66 sq. ft. of the currently allowed 600 sq. ft. of detached garage space

5-19-22

Ex. 2-4

4. Not Merely Special Privilege

- Anyone with a 15,000 sq. ft. lot can have a detached garage of 660 square feet
- Anyone with a 7500 sq. ft. lot can have a detached garage of 600 square feet
- A 15,000 sq. ft. lot next door to a separately buildable 7500 square foot lot results in 1260 square feet of detached garage space being considered acceptable by the Village
- We are requesting **less** of a privilege than afforded properties of similar configuration

5. Code and Plan Purpose

- The Code and Plan Purpose is to limit “the bulk of structures located in close proximity (minimum setback of 3 feet) from neighboring properties.” (Ref: Village Staff report)
- Our proposal is to place the garage 17 feet from the side lot line and 57 feet from the rear lot line.
- Garage will be sited further from all lot lines than required for a house

6. Essential Character of the Area

- We have hired a Historic Preservation architect in addition to a design architect in order to ensure we are being respectful of the Essential Character of the Area
- The proposed detached garage has been carefully designed to be in harmony with the style and proportions of our home
- This is also consistent with the Village's goal of promoting detached garages
- Neighbors have indicated support for the project

5-14-25

Ex. 2-7

Ex. 2-3

5: 4:26

7. No Other Remedy

- Many larger and bulkier solutions exist which do not require a variance.
- If this variance is denied, Plan B will be to build an attached garage which will be free from the footprint and height limitations imposed on detached garages.
- Lot and building coverage limits are not problematic for us.

Summary

5-14-27

Our proposed solution:

- Provides the creation of generous amounts of green space
- Reduces lot and building coverage
- Improves sight lines for all adjacent neighbors
- Returns conditions closer to those in place in 1916
- Is consistent with the Village's goal of promoting detached garages
- Exceeds the spirit and intent of the Code
- Is the minimum solution that protects our rights to reasonable use of our property

Ex 2.9

Angela Mesaros

From: Ganey, Bill [Bill.Ganey@Mattel.com]
Sent: Thursday, June 19, 2008 11:16 AM
To: amesaros@villageoflagrange.com
Subject: 345 S. 6th Zoning Hearing

Village of LaGrange:

This is in regard to a zoning hearing scheduled for tonight, 6/18/2008, relating to the property owned by Joan and Kurt Hoigard, 345 S 6th Avenue. I reside directly behind the Hoigard property at 346 S. 7th Avenue.

I understand the Hoigards' plans to include the demolition of the brick house on the lot adjacent to their house as well as their existing garage plus the construction of a new garage which will sit on parts of the two lots.

Per a letter sent to residents, the zoning hearing is to address how a village ordinance relating to allowable detached garage square footage might be amended to allow the Hoigards to move forward with their plans.

It is my opinion that the plan will enhance the appearance of the block, returning it closer to a historic "look" with less concentration of residents and should be encouraged to move forward. Any attempt to design an attached garage to older homes would detract from the original appearances and is not a reasonable option. The plan for a detached garage at an appropriate size for today's lifestyle is the right one.

With the assumption that other ordinances relating to drainage and construction distances from property lines will be honored, I support the Hoigards' plans and look forward to the improvement of our neighborhood and village.

Bill Ganey

346 S. Seventh Avenue

LaGrange, IL 60525

(708) 354-3831

wganey@gmail.com

bill.ganey@mattel.com

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6/19/2008

5-A-28

Angela Mesaros

From: Dave B [bierdn@hotmail.com]
Sent: Thursday, June 19, 2008 10:05 AM
To: amesaros@villageoflagrange.com
Cc: hoig59-joan@yahoo.com; jhoigard@yahoo.com; csmccrory@sbcglobal.net
Subject: For Tonight's ZBA Meeting - Hoigard Variance Request

Hi Angela!

Please pass this along to the members of the ZBA - for tonight's meeting. Unfortunately, I won't be able to attend.

Thanks!
Dave

TO: La Grange ZBA Members
FROM: David Cathy Bier, 340 7th Avenue
RE: Three Car Garage Variance Request for 345 S. 6th Avenue (Joan & Kurt Hoigard)

Hello:

We recently learned that the neighbors behind and one house south of us (Joan & Kurt Hoigard @ 345 S. 6th Ave) were seeking a variance to replace the house directly behind us with a three car garage. We then contacted them to discuss their plans since it would be directly behind our house and constantly in our field of vision once constructed.

After detailed discussions with the Hoigards and careful consideration, we request that the Village grant the variance to build the requested detached three car garage. Our decision is based on several factors:

- 1) The massing and setbacks of the structure (as requested in the variance) are absolutely reasonable and appropriate - especially given the fact that it is replacing an existing house on a 50ft wide lot.
- 2) The current village codes seem to be very impractical if a homeowner actually wants to park three cars in the garage simultaneously. The inappropriateness of the existing codes is further revealed by the fact that they actually encourage the construction of attached garages - since attached garages do not face the size restrictions imposed on detached three car garages.

This seems absurd considering the fact that the Planning Commission, Village Staff, Village Trustees and most residents clearly favored detached garages during recent code change discussions. As the Village Trustees indicated then, it's apparent that the existing garage size restrictions will need to be revised. In the meantime, reasonable variance requests should be carefully considered and granted when they clearly make sense - as in this case.

- 3) Aesthetically, the proposed detached garage and setbacks are much more desirable than the attached version - which the current codes would force if this variance is denied and the Hoigards opt for a functionally sized three car garage (which I wouldn't blame them for doing).

Bottom line:

The Hoigards have purchased the adjoining 50ft wide lot, are willing to remove a non-vintage structure, build an architecturally appropriate detached garage - all while creating more open green space and permeable surface area. Frankly, they are doing neighbors and the Village a favor - at no small cost to themselves.

6/19/2008

5-A.29

I believe it would be a serious mistake for the village to deny this very reasonable request based on poorly designed codes which will likely be re-written in the next several years. Government exists to help us enjoy our lives, homes and neighborhoods - not to deny reasonable private property rights.

Thank you for your consideration.

Dave & Cathy Bier
340 7th Avenue
La Grange, IL

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5-A.30

STAFF REPORT

CASE: ZBA #570 - Joan and Kurt Hoigard -343 & 345 S. 6th Avenue - Maximum Gross Floor Area of a Detached Garage

BACKGROUND

(Note: This Staff Report is solely based on information presented in the application and on a physical inspection of subject property and environs, and is not influenced by any other circumstance.)

The petitioners, Joan and Kurt Hoigard, reside at 345 S. 6th Avenue. In 2006, they purchased the property directly to the north of their house (343 S. 6th Ave.) They wish to demolish the single family house and one-car attached garage at 343 S. 6th, remove the 543 square foot detached garage at 345 S. 6th and replace the structures with a new three-car 726 square-foot detached garage. The maximum allowable floor area for a detached garage permitted in any single family residential district in the Village is 660 square ft. The proposed garage would exceed the zoning requirements by 66 square ft. or 10%. A building permit could not be issued, because the garage would exceed the allowable floor area.

Construction of the garage would meet all the required yards as well as maximum building and lot coverage requirements, but would exceed the maximum floor area allowed for a detached garage as set forth in Section 9-101 (Accessory Uses and Structures) by 10%. Subparagraph 14-303E1 (o) (Authorized Variations) allows the increase of the allowable gross floor area of a detached garage accessory to a single family dwelling by not more than 10%. The requested variation falls within the authorized limits of the Zoning Code.

VARIATION STANDARDS

In considering a variation, be guided by the General Standard as outlined in our Zoning Code that "No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection."

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, or 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 owner of the lot."*

The subject property is currently two zoning lots. The petitioners propose to consolidate the lots to create one zoning lot measuring 150 ft. wide by 150 ft. deep. This lot would be larger than most single lots in the R-3 Single Family Residential Zoning District. Typical lots measure 50 ft. wide.

5-19-31

Not Self-Created - *"The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title 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."*

According to the petitioners, their house (345 S. 6th Avenue) was designed in 1916 with the intent that the land to the north would remain open space. However, post World War II, a house was constructed on the lot to the north (343 S 6th Avenue). The petitioners have made no changes to the property that would affect the allowable detached garage size.

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."*

The petitioners seek to construct a detached garage that is larger than would be permitted on any single family property in the Village. According to the petitioners, the proposed 33 feet wide by 22 feet deep garage is consistent with the zoning allowance of 22 ft by 22 ft for a two-car garage (11 feet per stall for width). However, the Village has typically granted variations for two-car garages that measure 22 ft wide by 19 or 20 ft deep (approx. 440 square feet), which is consistent with the maximum allowable garage of 33 ft. by 20 ft. (660 square feet) that is permitted on the subject property as of right.

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."*

The petitioners believe that the proposed 726 square feet garage is not a special privilege, because residents in the immediate neighborhood have legal non-conforming garages that exceed the current standards for allowable size. The maximum allowable gross floor area for a detached garage for properties similar in size to the petitioner's property is 660 square feet. This is the largest detached garage permitted on any lot in the Village.

According to the petitioners, under the current Zoning Code, as existing with two zoning lots, they would be permitted a 600 square foot detached garage on the property at 343 S. 6th Avenue and a 660 square foot detached garage at 345 S. 6th Avenue. In addition, a much larger attached garage would be permitted on the consolidated lot.

5-A.32

Code and Plan Purposes - *"The variation would not result in a use or development of the subject property that would be not 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."*

In 1999, at the Village Board's request, the Plan Commission held workshops and public hearings to address concerns related to the bulk and height of garages. The Village Board established a formula that ties the maximum allowable floor area of a detached garage to the size of the lot on which it is constructed. The zoning regulation allows a two car garage on standard/small lots, while allowing the larger three-car garage on larger lots. This standard was intended to maintain consistency between lot size and garage size, while limiting the bulk of structures located in close proximity (minimum setback of 3 feet) from neighboring properties.

According to the petitioners, their proposal would decrease overall bulk and building coverage of the property. In addition, the proposed garage would be located approximately 57 feet from the rear lot line and 17 feet from the side lot line. Both setbacks are larger than the required 3 feet; therefore, the garage would have less impact on the neighboring properties.

Essential Character of the Area - *"The variation would not result in a use or development on the subject property that:*

- a. *Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or*
- b. *Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or*
- c. *Would substantially increase congestion in the public streets due to traffic or parking; or*
- d. *Would unduly increase the danger of flood or fire; or*
- e. *Would unduly tax public utilities and facilities in the area; or*
- f. *Would endanger the public health or safety."*

According to the petitioners, granting the requested variation would not adversely affect the character of the neighborhood. This proposal would bring the property closer to the original design and would be consistent with the historic character of the property.

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 property."*

5-A.33

Other remedies for construction of a three-car garage on the subject property would include, among other options: (1) Construction of a new three car detached garage up to 660 square feet. However, the petitioners have stated that this allowable garage size is not sufficient. (2) Another option would be to construct a 726 square feet attached garage. The petitioners believe that this option would add bulk to the property.

5-1A.34

345 6th Ave
LaGrange, IL 60525
708-352-3969
jhoigard@yahoo.com

May 14, 2008

Commissioners, Zoning Board of Appeals
Trustees, Board of Trustees
Angela Mesaros, Community Development Department
Village of LaGrange
53 South LaGrange Rd
LaGrange, IL 60525

RE: Application for Zoning Variation

Dear Ms. Mesaros, Commissioners and Trustees:

We respectfully submit for your consideration the enclosed application for variation to Zoning Code Subparagraph 9-101C4(c)(iii) *Maximum allowable gross floor area of a detached garage*.

A bit of background to help place the request into perspective:

Our home was built for the F.A. Torrey family in 1916 and was designed by the locally renowned architect Joseph Llewellyn. The home, which sits on a large corner lot at 345 6th Ave., was conceived and constructed by Mr. Llewellyn with the notion that there would be open space to its north. Indeed, a large leaded glass window in the stairway/upper hall overlooks what was for many decades a large open lot.

Some time post-World War II, the open lot to the North (343 6th Ave.) was purchased and a tri-level home built on it. The leaded glass window now enjoys a view of a tarred flat garage roof and a brick wall. In 2006, we purchased the home at 343 6th and have used it as rental property.

Our plan for the two properties is to return them to a state which is closer to what was originally in place in 1916, opening up a substantial amount of green space not only to the North but also on the property on which our home sits.

What we have in mind is to remove the home and garage on the 343 property, remove the 550 foot garage and the associated 100+ feet of driveway on the 345 property, and replace all of it with a shorter driveway and a single combined detached garage *that will actually net us less garage space than we currently enjoy*. The new garage, which will be on the 343 property, will sit further back from the street and further off the side lot line than the home that's currently there, and at the same time be further off the rear lot line

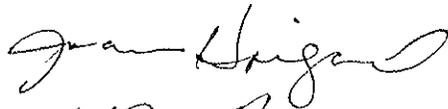
5-A.37

than the current garage at 345 6th. It will obviously also present a shorter, much less bulky presence than the house that is currently at 343 6th.

As we explain in detail in our application, there are options available to us to both eliminate the need for a variance and to enjoy a substantially larger amount of garage space; unfortunately the methods employed by these options would not at all be in keeping with the character of our home, the surrounding neighborhood, or the stated goals of the Village with regard to detached vs. attached garages and creation/preservation of green space.

We recognize that the temptation may be to view this application as just another resident wanting a large garage, but we are confident that once you have reviewed our detailed answers, you will agree that this is a situation that is unique and that is very much in keeping with the spirit and intent of the Code and stated goals of the Village.

Thank you in advance for your consideration,


Joan and Kurt Hoigard

5-14-38

APPLICATION FOR ZONING VARIATION

Application # 570
Date Filed: 5/14/08
UARCO # 85257

TO THE PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF LA GRANGE, ILLINOIS

(please type or print)

Application is hereby made by Joan and Kurt Hoigard

Address: 345 & 343 6th Ave, LaGrange

Phone: 708-352-3969

Owner of property located at: 345 6th Ave, LaGrange

Permanent Real Estate Index No: 18-04-414-009-0000 and 18-04-414-010-0000

Present Zoning Classification: R3 Present Use: Single family residences

Ordinance Provision for Variation from Article # Subparagraph 9-101C4(c)(iii) of Zoning Ordinance, to wit:

Maximum allowable gross floor area of a detached garage

A. Minimum Variation of Zoning requirement necessary to permit the proposed use, construction, or development:

The minimum variation necessary is 66 square feet. The Code allows for 2 car garages to be 484 square feet, or 22 X 22 feet. The first 22 reflects the recognized standard design value for garage depth: 22 feet. The second 22 reflects 2 X (because there are two cars) the recognized standard design value for width: 11 feet. Extrapolating that to a third car would give 22 X 33 = 726 square feet. A variation of 66 square feet would be the minimum amount necessary to achieve a 3 car garage built to the same standard as the Village allows for 2 car garages. There are no prohibitions in the Code against 3 car garages on lots of this size. The requested variation falls within the authorized limits of the Zoning Code (Subparagraph 14-303E1 (o) Authorized Variations – “To increase by not more than 10 percent the maximum allowable gross floor area of a detached garage accessory to a single family dwelling.” 66 feet is within the 10% allowed.). Please note that even with this additional 66 square feet, the resulting combined garage will net us less garage space than we currently enjoy.

B. The purpose therefor,

Is to build a 3 car garage to the same standard as the Village allows for 2 car garages. There are no prohibitions in the Code against 3 car garages on lots of this size.

5-A-39

C. **The specific feature(s)** of the proposed use, construction, or development that require a variation:

Garage width would be extended by 3 feet (by the standard 22 feet in depth) to allow the same space for the third car as is allowed by Code for the first two cars.

PLAT OF SURVEY must be submitted with application. The plat should show any existing buildings on the petitioned property as well as any existing buildings on property immediately adjacent. It should also show any proposed new construction in connection with the variation, including landscaping, fencing, etc.

1. General Standard. The Petitioner must list below **FACTS AND REASONS** substantially supporting each of the following conclusions or the petition for variation cannot be granted. (if necessary, use additional page)

- a. State **practical difficulty** or **particular hardship** created for you in carrying out the strict letter of the zoning regulations, to wit:

One "particular hardship" will be the loss of currently enjoyed garage space. The current garage at 345 6th Ave is 542.5 square feet. The current garage at 343 6th Ave is 228.3 square feet, for a total of 773.8 square feet on the combined property. All of this space is allowed under the current Code; no grandfathering is necessary. By combining the two garages into a single 660 square foot building, we will be losing 113.8 square feet of conforming garage space that we currently enjoy. We are only asking for 66 square feet of that back.

Another "particular hardship" created for us in strictly adhering to the letter of the Code is a denial of the right to reasonable use of our property. Please see the response to "b. A reasonable return or use of your property..." below for a detailed explanation.

The "practical difficulty" presented to us in carrying out the strict letter of the Code is that in order to retain our currently enjoyed garage space, our only options would be to build either a structure which is much larger and more costly than necessary, or one not in keeping with the architectural integrity of our home and the surrounding neighborhood. Please see the response to "8. No Other Remedy" for a detailed explanation.

- b. A reasonable return or use of your property is not possible under the existing regulations, because:

Our home is situated fully on a 100 X 150 = 15,000 square foot lot. No part of the home extends onto or encroaches upon the property to the North. Both lot and building coverage allowances are well under what is permitted by Code. Under the current Code, a lot of this size is permitted to have a 660 square foot detached garage.

The property to the North of our home is 50 X 150 = 7500 square feet. This property is a completely separate (unmerged with the one on which our home sits) and buildable lot. Under the current Code, a detached garage of 600 square feet is permitted on a lot of this size.

So between the two properties, the Zoning Code permits 600 + 660 = 1260 square feet of detached garage space.

5-A-40

We have no need of merging the two properties since no part of our home extends onto or encroaches upon the property next door (nor will it do so as a result of the proposed minor mudroom addition).

However, so that it may enforce the rule of one garage per primary residence and vice versa, the Village requests that we merge the two properties if the home at 343 6th is removed and we wish to build anything but a single family residence on the lot.

We understand and respect the underlying reasoning of the rule regarding one garage to a customer and have no objection to complying with its spirit and intent. Unfortunately, by the mere act of merging the two properties, the "reasonable return or use of your property" becomes zero with respect to detached garage space at 343 6th. Not a single square foot of the 600 square feet that was previously considered acceptable by the Village would be retained by the combined property. We are only asking that, upon merging the properties, we be allowed to retain just 66 square feet of the previously allowed garage space.

There are workarounds for reclaiming all -- and even substantially more -- of this space, but they are not in the best interest of either us or the Village (see "8. No Other Remedies" for details). What we are proposing is actually the minimum solution that **both** protects our rights as well as respects the stated desires of the Village with regard to detached garages, bulk in close proximity to lot lines, and creation/preservation of green space.

- c. Your situation is unique (not applicable to other properties within that zoning district or area) in the following respect(s):

The Code from which we seek a variance has as its goal to "limit the bulk of structures located in close proximity (minimum setback of three feet) from neighboring properties." (Ref. Village Staff Report for ZBA Case #565). Because of the unique configuration of our combined properties, we are well positioned to not only respect but exceed the spirit and intent of this Code. We have ample room to pull the garage well off the rear and side lot lines, opening up sight lines currently blocked by the detached garage at 345 6th and the house at 343 6th. The neighbors to the East will have improved sight lines from their backyard (albeit somewhat indirectly because of where their own garage is situated) by the removal of the garage at the back of 345 6th. The neighbor to the North of 343 6th will have vastly improved sight lines from their home since the new garage will sit much further back from the street and much further off the side lot line than the house that is currently there. With this project, we are uniquely positioned to bring additional benefit over what is required by Code to the neighbors on all sides.

5-A-41

2. 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, or 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 owner of the lot.

One of the Unique Physical Conditions is as described in Question 1.c. above; that is, that we have ample space to position the new garage even further off lot lines than is required by Code.

Additionally, another Unique Physical Condition is the existence of a single car garage at 343 6th to which we currently enjoy use. This is in addition to a 542.5 square foot garage at 345 6th, again, to which we currently enjoy use. We would simply like to reallocate a small portion of the existing space (66 of the 228.3 square feet) from 343 6th to a single combined structure on the joined property. We are not even requesting to retain the full amount of garage space we currently enjoy; just a subset.

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title 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.

No, not self-created.

4. 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.

Yes, see response to "1. b. A reasonable return or use of your property..." above for details.

5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely 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.

No, anyone with a 15,000 square foot lot can have a detached garage of 660 square feet. Additionally, anyone with a lot of 7500 square feet can have a detached garage of 600 square feet. A 15,000 square foot lot next door to a separately buildable 7500 square foot lot results in 1260 square feet of detached garage space being considered acceptable by the village over that given space. Not only is our request "Not Merely a Special Privilege," it represents *less* of a privilege than afforded properties of similar configuration.

5-A-42

6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would be not 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.

The requested variation actually allows us to be more greatly “in harmony with the general and specific purposes for which this Code and the provision from which a variance is sought were enacted.” The purpose of the Code is to “limit the bulk of structures located in close proximity (minimum setback of three feet) from neighboring properties.” (Ref. Village Staff Report for ZBA Case #565). Not only will what we are proposing be in harmony with the spirit and intent of the Code, it will exceed it in the following ways:

- The proposed garage will be approximately 57 feet from the rear lot line and 17 feet from the side lot line. Garages located in the “required rear yard” can be as close as 3 feet from the side and rear lot lines.
- It will result in the removal of a garage (and a substantial stretch of driveway associated with it) which currently sits 1.5 feet at its nearest point from the rear of the adjacent lot at 345.
- It will be much further back from the street and be both shorter in height and of much less bulk than the structure currently in place at 343.
- It will be in keeping with the stated goals of the Village to promote detached garages and to create/preserve green space.

A much larger (greater footprint, greater height) garage could be built on the combined property with no need of a variance (see “8. No Other Remedy” for additional details) were it to be attached; but with the proposed design, we have made numerous and specific attempts to be respectful of the “Code and Plan Purposes” expressed by the Village with regard to garages. Please see “7. Essential Character of the Area” for additional details.

5-A.43

7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:

- (a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or
- (b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
- (c) Would substantially increase congestion in the public streets due to traffic or parking; or
- (d) Would unduly increase the danger of flood or fire; or
- (e) Would unduly tax public utilities and facilities in the area; or
- (f) Would endanger the public health or safety.

Our home was built for the F. A. Torrey family in 1916 and was designed by the locally renowned architect Joseph Llewellyn. The home, which sits on a large corner lot at 345 6th Ave., was conceived and constructed by Mr. Llewellyn with the notion that there would be open space to its north. Indeed, a large leaded glass window in the stairway/upper hall overlooks what was for many decades a large open lot.

Some time post-World War II, the open lot to the North (343 6th) was purchased and a tri-level home built on it. The leaded glass window now enjoys a view of a tarred flat garage roof and a brick wall.

Our plan for the two properties is to return them to a state which is closer to what was originally in place in 1916.

We have taken great pains to be respectful and in harmony with the Essential Character of the Area, as well as the historic heritage of our home. In selecting an architect to help us with this project, we took the additional step of hiring not one, but two architects: one (Keith Ginnodo) with strong design skills to bring a variety of creative ideas to the project, and another (Kirsten Kingsley) with recognized Historic Preservation credentials to help ensure we're maintaining the architectural integrity of the original home.

Ms. Kingsley's preservation projects include Frank Lloyd Wright's *Wingspread*, *Fallingwater*, and *Avery Coonley Playhouse*; the Reliance Building; Pullman State Historic Site; the Tribune Tower; and the Wrigley Building, among others. She serves on the Village of Arlington Height's Design Commission and the Teardown Committee, and was a member of their Zoning Board of Appeals for nine years. Because of her experience, she is very much in tune with and sensitive to the types of issues communities such as ours face when trying to balance the preservation of historic homes with the realities of modernization.

There is a mixture of garage sizes and styles in our immediate neighborhood. The house directly across from us (344 6th) has a coach house; the house directly west of that (343 LaGrange Rd.) has an even larger coach house; a house nearby (135 8th) with very similar architecture and lot placement to ours has an 840 square foot three car garage.

5-18-44

In order to be respectful of the essential character of our neighborhood, as well as to be in harmony with the stated goals of the Village, it was recommended to us by our architects to try to come up with a design for a detached garage that would meet our needs.

This turned out to be much more difficult than we had hoped. As much as we would have liked to have had a fixed staircase to provide easy access to storage space above the garage, ample headroom to comfortably and more fully utilize the garage attic, and plenty of floor space to allow for easy storage of bikes, lawnmowers, snowblowers, etc., that just wasn't going to be possible given the restrictions of the current Zoning Code.

In order to cut the size down as far as possible, we replaced a fixed staircase with a pulldown set, kept the building height at the Code maximum of 19 feet, and restricted the footprint to the minimum necessary to store three cars (22 feet in depth X 11 ft. per car X 3 cars = 726 square feet).

With this project, we will be contributing positively to the Essential Character of the Area in other ways.

- By removing the garage and a substantial stretch of driveway associated with it, we will be reducing the overall lot and building coverage at 345 6th. (We are also proposing a small mudroom addition to the back of the house at the same time for which no variance needed; the net result is still a reduction.)
- By removing the garage at the rear of 345 6th we will be opening up backyard sight lines, creating green space where there is currently a structure.
- We will be greatly reducing lot and building coverage on the 343 6th property.
- At 343 6th we will be replacing a bulky structure with one that is shorter, sits much further back from the street, and much further off the lot line to the North, opening up a substantial amount of green space on all sides.

5-A.45

8. 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 property.

There are other remedies that could provide us with the same, if not substantially more, garage space. Besides being architecturally less desirable, these options would not be in keeping with goals stated by the Village with regard to detached vs. attached garages, preservation/creation of green space, and reduction of bulk.

A few possibilities:

- Option 1: Take the garage as shown on the proposed plan and slide it 10 feet to the South, attaching it to the home at 345 6th. Note, with this option, we would not be restricted to the 726 square foot footprint nor the 19 foot building height. All such limitations go away once the garage is attached. We would only be limited by overall building and lot coverage, neither of which is problematic for us.

Besides the practical problems of its placement interfering with current windows on the house, this option is not all in keeping with the architectural style of our home or any of the surrounding homes. Ms. Kingsley, our Historic Preservation architect, strongly advises against this choice. Additionally, it would not be in keeping with the Village's goal of promoting detached garages.

- Option 2: Leave the garage where it is shown on the proposed plan, but add a room of sufficient bulk between it and the main residence such that the resulting garage could be considered attached. Again, note that with this option, the Code provisions restricting garage size and bulk go away and we would only be limited by overall building and lot coverage, neither of which is problematic for us.

This will be our fallback choice if this variance is denied. The garage will be attached via an extension of the currently planned mudroom addition. As long as we will be freed from the footprint restrictions, we will likely add back in space for a fixed staircase and extra storage for bikes, lawnmowers, etc. Mr. Ginnodo assures us he can come up a design that will minimize the visual impact from the street. This option is obviously not optimal for a number of reasons: It would not be as architecturally consistent as a detached garage, it would have the hardship of being more costly, it would unnecessarily increase building coverage and bulk, and it would not be consistent with the Village's goal of promoting detached garages.

- Option 3: Remove the current home and garage at 343 6th and replace it with a 3-car garage attached to a modest structure with sufficient living space to consider it a single family residence. Since it would be an integrated building, the 726 square foot footprint and 19 foot building height restrictions would not apply. This building could either be leased back to ourselves as a guest house, or we could receive income from it as rental property.

The advantage to us with this option is that we could keep (or even increase to 660 square feet) our current garage at 345 6th, as well as pick up the additional space from the new garage. Another advantage would be that the property at 343 6th could remain separate (unmerged) and retain all of its property rights. The disadvantages are that it would have the hardship of being excessively costly, and that it would not be respectful of the Village's goals of reducing bulk and creating/preserving open space.

5-14-46

- Option 4: Leave the current structure standing at 343 6th, but remove the attached single car garage, making room for a driveway to the back of the lot and allowing the opportunity for a new garage on the property. Build a 600 square foot garage at the back of the lot and either lease the home at 343 back to ourselves, or continue to receive income from it as rental property as we currently do. The current garage on the 345 property could be retained or replaced with an up to 660 square foot garage.

The advantages and disadvantages are the same as with Option 3, except to a greater degree. We could keep or enlarge our current garage at 345 6th, as well as pick up the additional space from the new garage. The property at 343 6th could remain separate (unmerged) and retain all of its property rights. The disadvantages would again be that it would have the hardship of being excessively costly, and that it would not be respectful of the Village's goals of reducing bulk and creating/preserving open space.

All of these Code-allowed options (and their many variations) would allow us to maintain or even substantially increase our currently enjoyed garage space. But unfortunately, their methods of achieving it would not be in keeping with the character of our home, the surrounding neighborhood, or the Village's goals for promoting open space and detached garages. We believe that the solution we have proposed is the minimum solution that best serves the interests of both us and the Village.

* * *

NOTICE: This application must be filed with the office of the Community Development Director, accompanied by necessary data called for above and the required filing fee of Five Hundred Dollars (\$500.00).

The above minimum fee shall be payable at the time of the filing of such request. It is also understood that the applicant shall reimburse the Village any additional costs over and above these minimums, which are incurred by the Village, including but not limited to the following:

- (a) Legal Publication (direct cost);
- (b) Recording Secretarial Services (direct cost);
- (c) Court Reporter (direct cost);
- (d) Administrative Review and Preparation (hourly salary times a multiplier sufficient to recover 100 percent of the direct and indirect cost of such service);
- (e) Document Preparation and Review (hourly salary times a multiplier sufficient to recover 100 percent of the direct and indirect cost of such service);
- (f) Professional and Technical Consultant Services (direct cost);
- (g) Legal Review, Consultation, and Advice (direct cost);

5-A-47

- (h) Copy Reproduction (direct cost); and
- (i) Document Recordation (direct cost); and
- (j) Postage Costs (direct cost).

Such additional costs shall be paid by the applicant prior to the Board of Trustees making a decision regarding the request.

I, the undersigned, do hereby certify that I am the owner, or contract purchaser (**Evidence of title or other interest you have in the subject property, date of acquisition of such interest, and the specific nature of such interest must be submitted with application.**) and do hereby certify that the above statements are true and correct to the best of my knowledge.

[Handwritten Signature]
 (Signature of Owner or Contract Purchaser) (Address) 345 6th Ave

(City) La Grange (State) IL (Zip Code) 60525

Subscribed and sworn to before me this 13th day of May, 2008.

[Handwritten Signature: Joanne Mills]
 (Notary Public) (Seal)

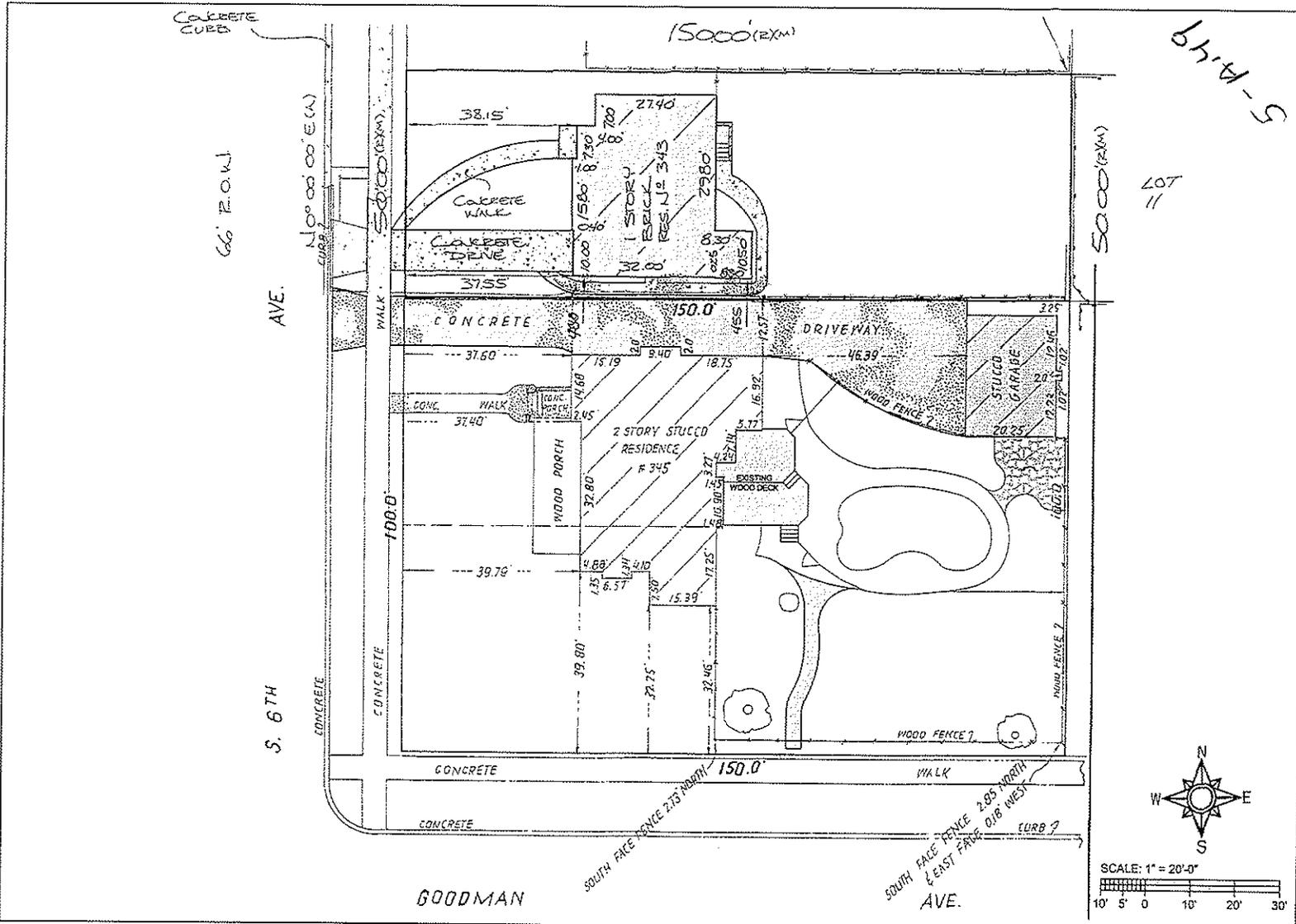


Enclosures:

- Existing Site Plan (Sheet 1)
- Proposed Site Plan (Sheet 2)
- West Elevation (Sheet 3)
- Garage Plan (Sheet 4)
- Garage Roof (Sheet 5)
- Plat of Survey for 345 6th Avenue
- Plat of Survey for 343 6th Avenue

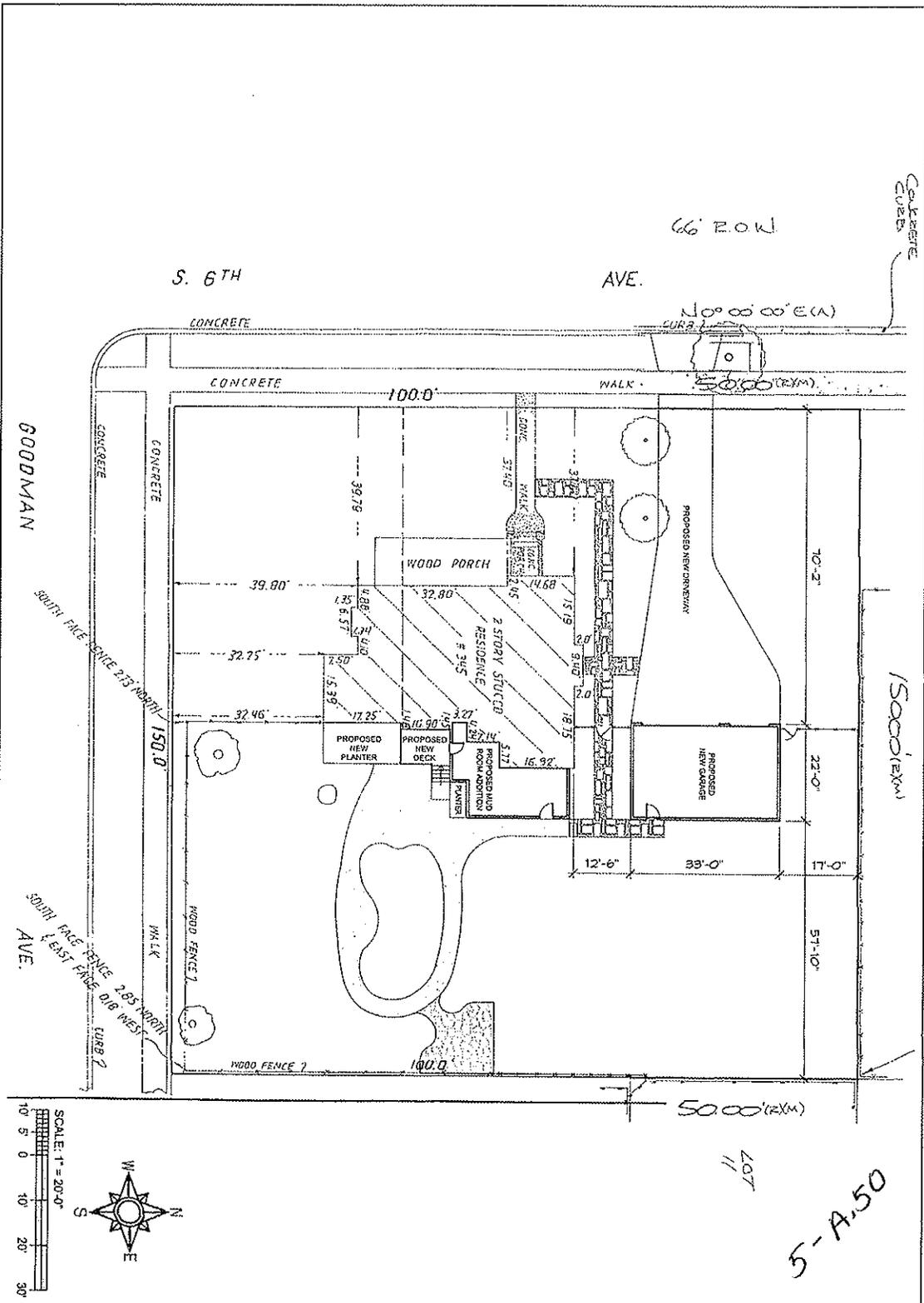
5-A-48

May 13, 2008 - 2:07pm - Highway
 G:\R\116\KRH deck\Current Site Plans.dwg

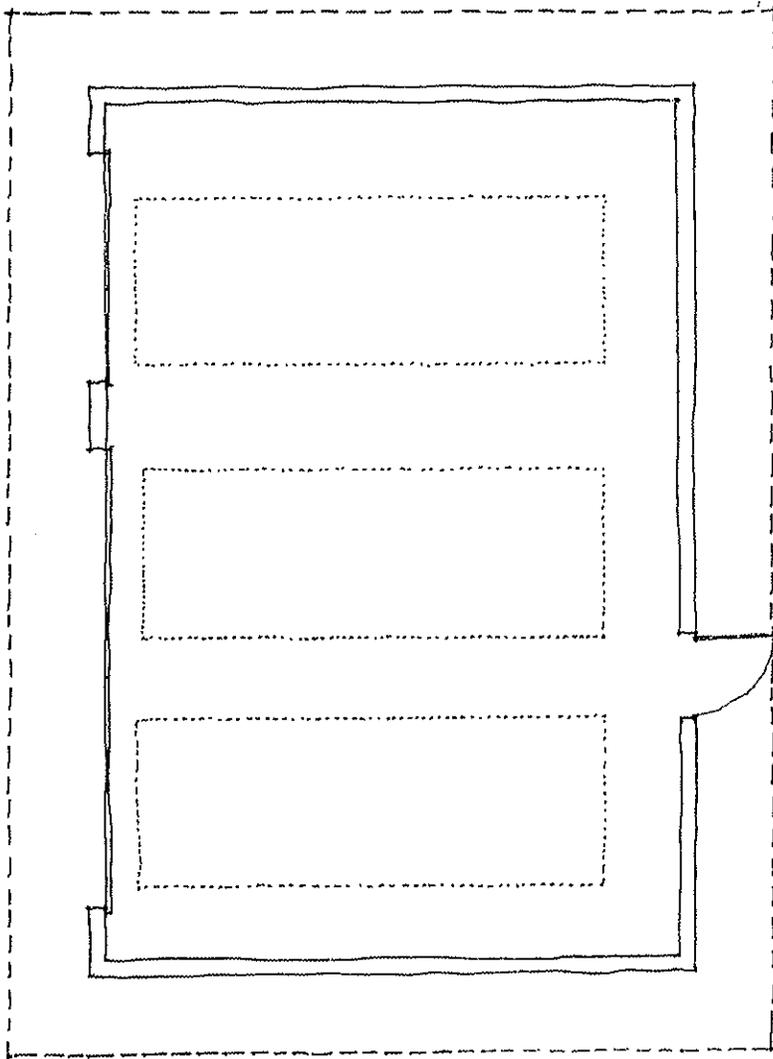


5-14-19
 LOT 11

Raths, Rath & Johnson, Inc. Structural Engineers - Architects - Building Scientists 836 McKay Drive Wheelock, Miss. 39227 601/525-0180	
DATE: 05-13-08	DRAWN: BAG
CHECKED: KRH	SCALE: 1" = 20'-0"
CURRENT SITE PLAN HOIGARD RESIDENCE PLUS ADJACENT SITE LAGRANGE	
ILLINOIS	
JOB NO.	SHEET NO.
	1



	PROPOSED SITE PLAN HOIGARD RESIDENCE PLUS ADJACENT SITE		Rath, Rath & Johnson, Inc. Structural Engineers • Architects • Building Scientists 835 Midway Drive Willowbrook, Illinois 60527 630/325-6180			
	LAGRANGE ILLINOIS	DATE 05-13-08	DRAWN BAG	CHECKED KRH	SCALE 1" = 20'-0"	SHEET NO. 2



GRANGE PLAN
 1/4" = 1'-0"
 N

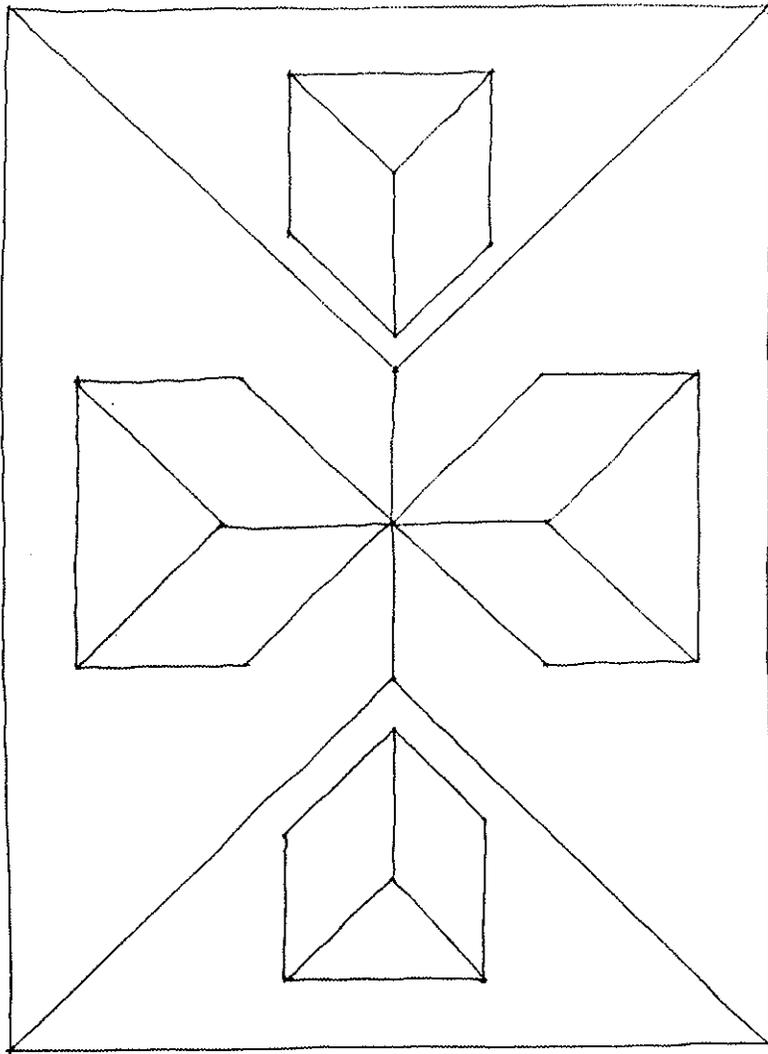
HOIGARD RESIDENCE
 345 6TH AVENUE, LA GRANGE, IL 60525



KINGSLEY + GINNOO ARCHITECTS	
2347 W. 47th ST. CHICAGO, IL 60641	
DATE	5/18/09
PROJECT	HOIGARD RESIDENCE
NO.	4

5-A-52

S H A G E R O O F
1/4" = 1'-0"
N →



5-A-53

HOIGARD RESIDENCE
345 6TH AVENUE, LA GRANGE, IL 60525



KINGSLEY + GINNO DO ARCHITECTS
345 N. WILSON AVENUE, LA GRANGE, ILLINOIS 60525
5
8-2-04

7700 West Touhy Avenue
Chicago, Illinois 60631-4309

ARCHITECTURAL - INDUSTRIAL - LOTS - SUBDIVISIONS - MORTGAGE - CONDOMINIUMS

Phone: (773) 775-0530
(773) 775-0531
Fax: (773) 775-7512



Jens K. Doe

Professional Land Surveyors, P.C.

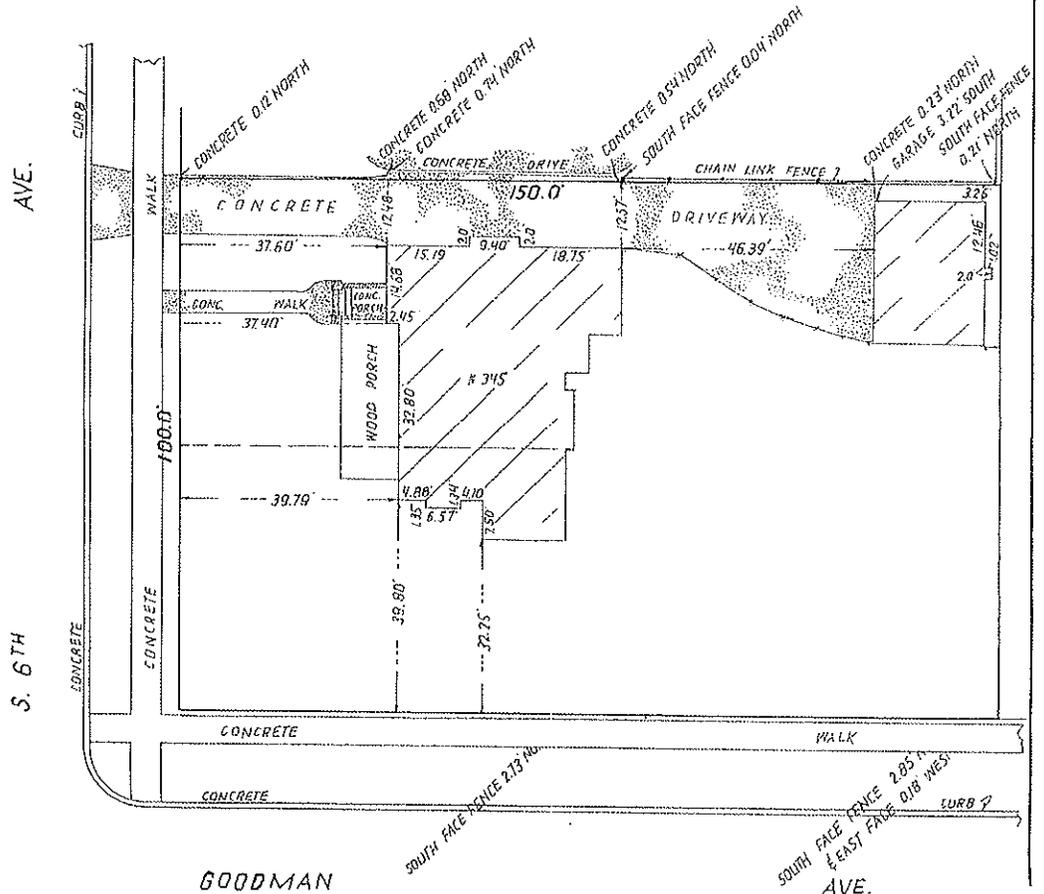
ORDER NO.
03 - 066

Scale - 1 inch = 20 Feet

PLAT OF SURVEY

of

LOTS 14 AND 15 IN BLOCK 18 IN LETTER'S SECOND ADDITION TO LAGRANGE, BEING A SUBDIVISION OF THAT PART OF THE WEST 1095 FEET OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, LYING NORTH OF THE SOUTH 710 FEET THEREOF, IN COOK COUNTY, ILLINOIS.



GOODMAN

SOUTH FACE FENCE 2.02' N
EAST FACE 0.18' WEST
CURB ?

State of Illinois)
County of Cook)

JENS K. DOE PROFESSIONAL LAND SURVEYORS, P.C. does hereby certify that a survey has been made in the direction, by an Illinois Professional Land Surveyor of the property described hereon and that the plat herein drawn is a correct representation of said survey.

Chicago, Illinois Dated this 15th day of JANUARY 20 03

JENS K. DOE PROFESSIONAL
LAND SURVEYORS, P.C.

DOMINICK AL. BLAZSNER (PRESIDENT)
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3390

NOTE:

Dimensions are not to be assumed or scaled.

The legal description noted on this plat is a copy of the order and for accuracy MUST be compared with Deed. For building restrictions refer to your Abstract, Deed or Contract.

Compare distances between points before building and report any discrepancy to this office immediately.

5-A-54



