

COMMUNITY DEVELOPMENT COMMISSION

Village of Bensenville

VILLAGE HALL

March 3, 2020 6:30 PM

I. Call Meeting to Order

II. Roll Call and Quorum

III. Pledge of Allegiance

IV. Public Comment

V. Approval of Minutes

February 4, 2020 Community Development Commission Meeting Minutes

VI. Action Items:

1. Consideration of a Motion to Withdraw CDC Case 2019-04, a Request for a Planned Unit Development at 225 S. York Road

2. Consideration of a Motion to Continue CDC Case 2020-01, a Request for Monument Sign Variations at 1201-1221 W. Irving Park Road.

3. Consideration of Variations to allow a 20' wide driveway at 1307 W. Brookwood Street.

4. Consideration of a Variation to allow recreational vehicle parking in the front yard at 249 S. Church Road.

5. Consideration of a Preliminary & Final Plat of Subdivision at 201 S. York Rd.

VII. Report from Community and Economic Development

VIII. Adjournment

Any individual with a disability requiring a reasonable accommodation in order to participate in a Community Development Commission Meeting should contact the Village Clerk, Village of Bensenville, 12 S. Center Street, Bensenville, Illinois, 60106 (630-350-3404)

TYPE:Minutes**SUBMITTED BY:**Corey Williamsen**DEPARTMENT:**Village Clerk's Office**DATE:**March 3, 2020**DESCRIPTION:**February 4, 2020 Community Development Commission Meeting Minutes

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

REQUEST:**SUMMARY:****RECOMMENDATION:****ATTACHMENTS:**

Description

DRAFT_200204_CDC

Upload Date

2/20/2020

Type

Cover Memo

Village of Bensenville
Board Room
12 South Center Street
DuPage and Cook Counties
Bensenville, IL, 60106

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

February 4, 2020

CALL TO ORDER: The meeting was called to order by Chairman Rowe at 6:30p.m.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Czarnecki, Marcotte, Wasowicz
Absent: Ciula, King, Rodriguez
A quorum was present.

STAFF PRESENT: K. Pozsgay, K. Fawell, C. Williamsen

JOURNAL OF PROCEEDINGS: The minutes of the Community Development Commission Meeting of the January 7, 2020 were presented.

Motion: Commissioner Wasowicz made a motion to approve the minutes as presented. Commissioner Marcotte seconded the motion.

All were in favor. Motion carried.

Senior Village Planner, Kurtis Pozsgay and Village Planner, Kelsey Fawell, were present and sworn in by Chairman Rowe.

PUBLIC COMMENT: There was no Public Comment.

Public Hearing: CDC Case Number 2019-26
Petitioner: Grzegorz Strycharczuk
Location: 865 Fairway Drive
Request: Special Use Permit, Motor Vehicle Repair
Municipal Code Section 10 – 7 – 2

Motion: Commissioner Marcotte made a motion to re-open CDC Case No. 2019-26. Commissioner Wasowicz seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Rowe, Czarnecki Marcotte, Wasowicz
Absent: Ciula, King, Rodriguez
A quorum was present.

Chairman Rowe re-opened CDC Case No. 2019-26 at 6:32 p.m.

Ms. Fawell stated the petitioner has requested this case be withdrawn.

Motion: Commissioner Marcotte made a motion to close CDC Case No. 2019-26. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2019-26 at 6:33 p.m.

Motion: Commissioner Marcotte made a motion to withdraw CDC Case No. 2019-26. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

**Report from
Community
Development:**

Ms. Fawell reviewed both recent CDC cases along with upcoming cases.

Ms. Fawell presented the proposed 2020 Zoning Map to the Community Development Commission.

ADJOURNMENT: There being no further business before the Community Development Commission, Commissioner Marcotte made a motion to adjourn the meeting. Commissioner Wasowicz seconded the motion.

All were in favor. Motion carried.

The meeting was adjourned at 6:37 p.m.

TYPE:Public Hearing**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**03.03.20**DESCRIPTION:**Consideration of a Motion to Withdraw CDC Case 2019-04, a Request for a Planned Unit Development at 225 S. York Road**SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:**

<input type="checkbox"/>	Financially Sound Village	<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

REQUEST:

1. Planned Unit Development, Municipal Code Section 10 – 4

SUMMARY:

1. The Petitioner was heard by the Community Development Commission on 03.05.19.
2. The Community Development Commission made a motion to continue the case until April 2, 2019.
3. At the April 2, 2019 Public Hearing, the Commission made a motion to table the case.
4. Staff has reached out to Petitioner regarding the status of their Petition over the past 10 months and have not received a response.

RECOMMENDATION:

1. Staff recommends that CDC Case 2019-04 be withdrawn.

ATTACHMENTS:

Description	Upload Date	Type
Case Coverpage	2/25/2020	Cover Memo
Aerial & Zoning Maps	2/25/2020	Cover Memo



BENSENVILLE

COMMUNITY DEVELOPMENT COMMISSION

**Public Hearing 03.03.20
To Be Withdrawn**

CDC Case #2019 – 04

**Mariusz Gruszka
225 S York Rd**

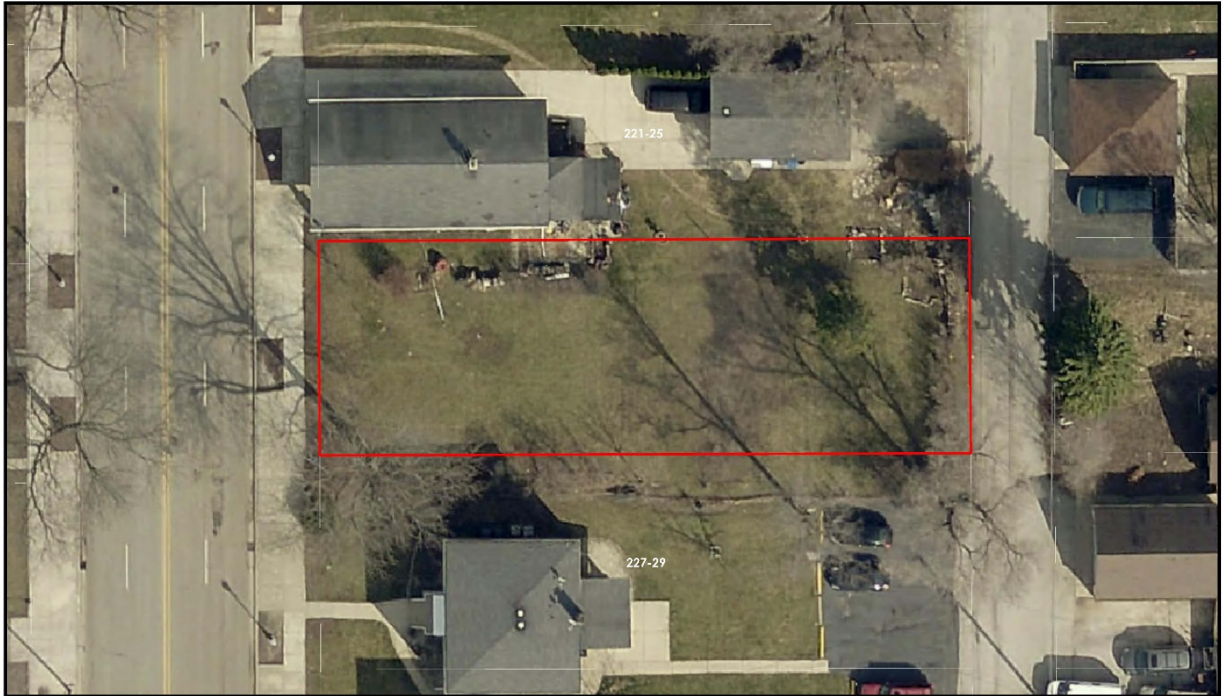
**Planned Unit Development, 2 Story-3 Unit
Dwelling, Municipal Code Section 10 – 4.**





Village of Bensenville

225 S York Rd

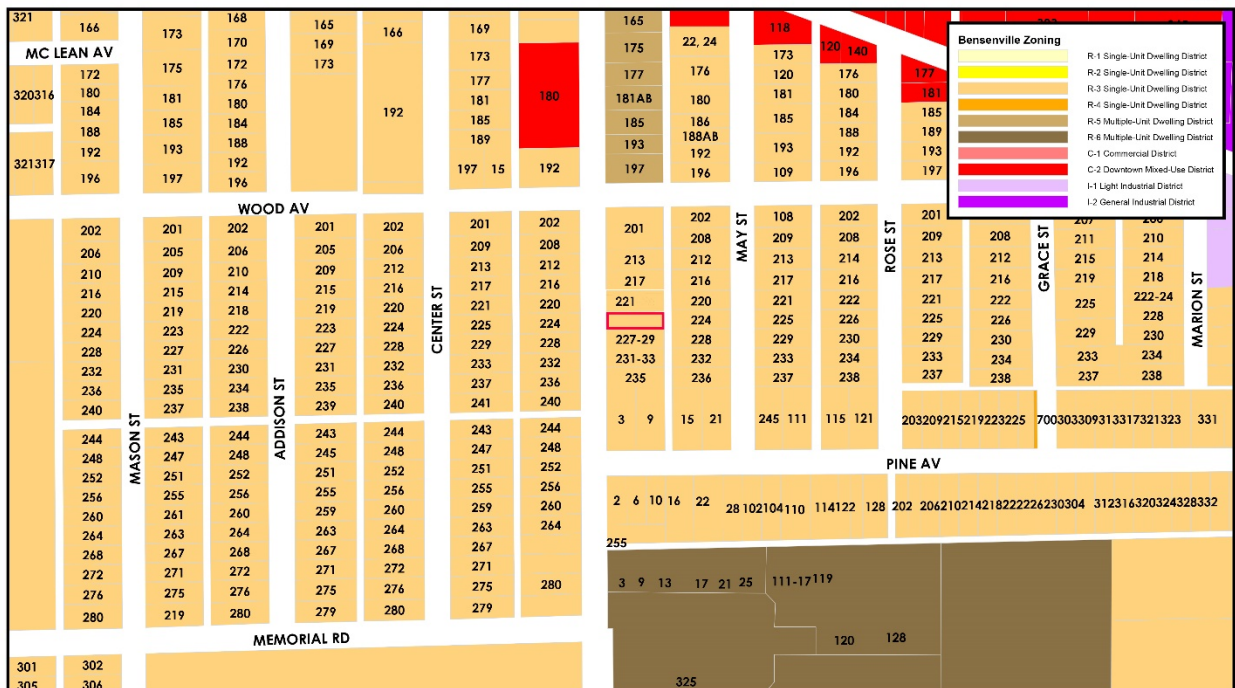


Date: 2/22/2019



Village of Bensenville

Zoning Map



Date: 2/11/2019

TYPE:Public Hearing**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**03.03.20**DESCRIPTION:**

Consideration of a Motion to Continue CDC Case 2020-01, a Request for Monument Sign Variations at 1201-1221 W. Irving Park Road.

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village	<input type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	X	Major Business/Corporate Center
<input type="checkbox"/>	Safe and Beautiful Village	X	Vibrant Major Corridors

REQUEST:

1. Variation, Monument Sign Height, Municipal Code Section 10-10-5-8.C
2. Variation Electronic Message Center Sign Location, Municipal Code Section 10-10-5-4.a.3

SUMMARY:

1. The Petitioner requested two Variations to erect a monument sign with an EMC component.
2. Upon review, Staff became aware that the proposed monument sign will need another Variation in order to be erected, only after Staff had advertised for the 03.03.20 Public Hearing.
3. In order for the Community Development Commission to hear a request, it must be published in a legal notice 15-30 days prior the to the Public Hearing.
4. Staff recommends the case be continued to the next CDC Public Hearing to allow for proper advertisement of the additional Variation request.

RECOMMENDATION:

1. Staff recommends continuing CDC Case 2020-01, a request for Variations at 1201-1221 W. Irving Park Road, until the next available Public Hearing on April 7, 2020.

ATTACHMENTS:

Description

Upload Date

Type

Case Coverpage**2/25/2020****Cover Memo****Aerial & Zoning Maps****2/25/2020****Backup Material**



BENSENVILLE

COMMUNITY DEVELOPMENT COMMISSION

Public Hearing 03.03.20
To Be Continued to April 7, 2020

CDC Case #2020 – 01

Mike Burcker
1201-1221 W. Irving Park Road

Variation, Monument Sign Height
Municipal Code § 10 – 10 – 5 – 8.C
Variation, Electronic Message Center Sign Location
Municipal Code § 10 – 10 – 5 – 4.a.3

1. Aerial Photograph & Zoning Map of Subject Property



CDC#2020-01

1201-1221 W. Irving Park Road

Mike Burcker

Variation; Monument Sign Height

Municipal Code Section 10 – 10 – 5 – 8.C

Variation; Electronic Message Center Sign Location

Municipal Code Section 10 – 10 – 5 – 4.a.3



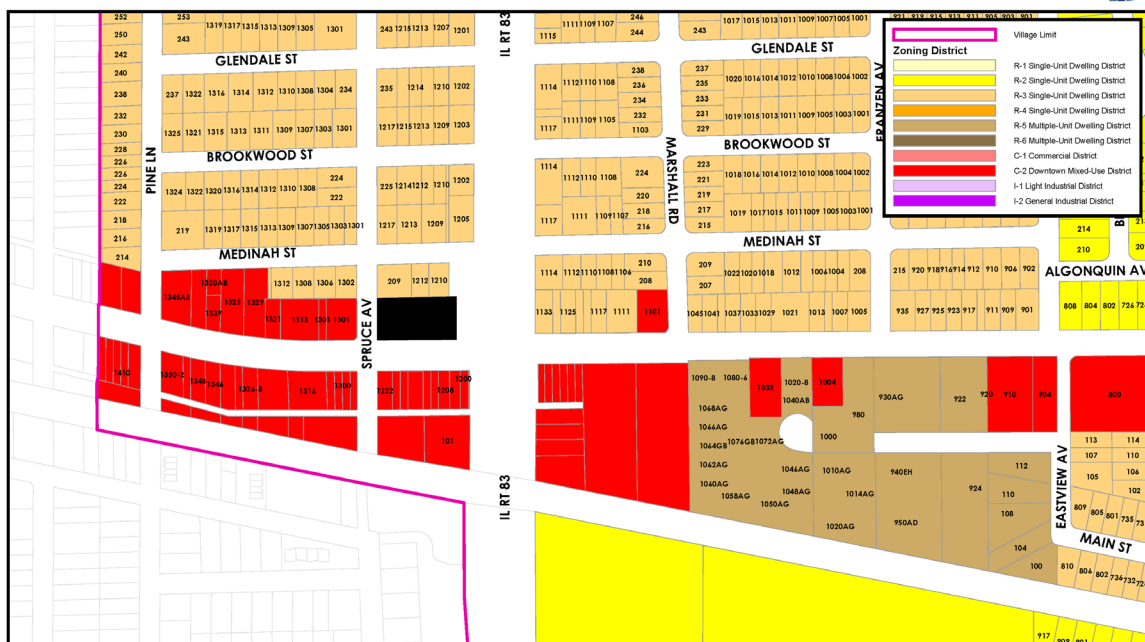
Village of Bensenville

1201-1221 W Irving Park Road



Village of Bensenville

Zoning Map



TYPE:Public Hearing**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**03.03.20**DESCRIPTION:**Consideration of Variations to allow a 20' wide driveway at 1307 W. Brookwood Street.***SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:***

<input type="checkbox"/>	Financially Sound Village	<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

REQUEST:

1. Variation, Driveway Location, Municipal Code Section 10-8-8-A
2. Variation, Maximum Driveway Width, Municipal Code Section 10-8-8-1

SUMMARY:

1. The Petitioners are requesting two Variations to expand their current driveway width of 10' to 20' by paving 2' to the west and 8' to the east of the existing driveway.
2. The Variation for Driveway Location is requested as plans indicate the driveway abutting the east lot line. Village Zoning Ordinance requires a 1' separation between parking facilities and lot lines.
3. The existing driveway is used to access an attached, single-car garage.
4. The Petitioners received a correction notice for parking on an unimproved surface on January 2, 2020.

RECOMMENDATION:

1. Staff recommends the Denial of the Findings of Facts as they pertain to the first request and therefore the Denial of the Variation for Driveway Location.
2. Staff recommends the Approval of the Findings of Fact as they pertain to the second request and therefore the Approval of the Variation to exceed maximum driveway width with the following conditions:
 1. The driveway be paved in line with the existing walkway to the east of the garage and increasing the pavement on the west in order to increase the driveway width to twenty feet;
 2. The exact placement of the driveway will be determined by drainage and engineering concerns;
 3. The apron shall not extend past the property lines; and
 4. All construction, at a minimum, shall be in accordance with the Village driveway/apron and public sidewalk standards.

ATTACHMENTS:

Description	Upload Date	Type
Case Coverpage	2/26/2020	Backup Material
Aerial & Zoning Maps	2/26/2020	Backup Material
Legal Notice	2/26/2020	Backup Material
Application	2/26/2020	Backup Material
Approval Criteria	2/26/2020	Backup Material
Additional Petitioner Document	2/26/2020	Backup Material
Staff Report	2/26/2020	Executive Summary
Plat of Survey	2/26/2020	Backup Material
Plans	2/26/2020	Backup Material
Supplemental Document Provided by Staff	2/26/2020	Backup Material



BENSENVILLE

COMMUNITY DEVELOPMENT COMMISSION

Public Hearing 03.03.20

CDC Case #2020 – 04

**Jovita & Juventino Landin
1307 W. Brookwood Street**

**Variation, Driveway Location
Municipal Code Section 10 – 8 – 8 – A
Variation, Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1**

1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans



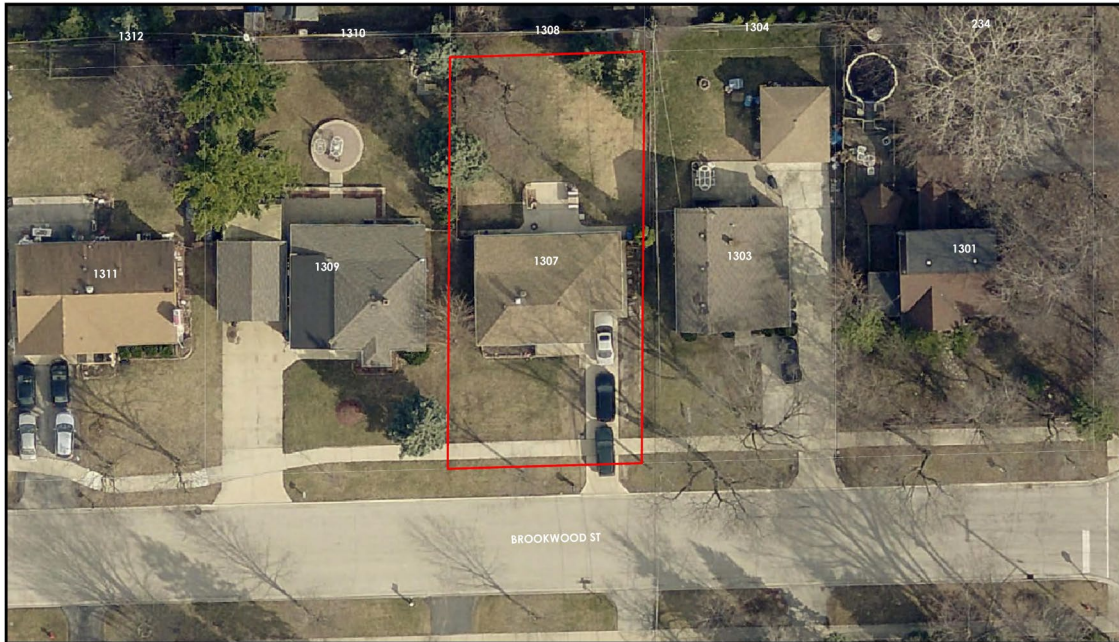
CDC#2020 – 04

1307 Brookwood St.
Jovita & Juventino Landin
Variation, Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1
Variation, Driveway Location
Municipal Code Section 10 – 8 – 8 – A



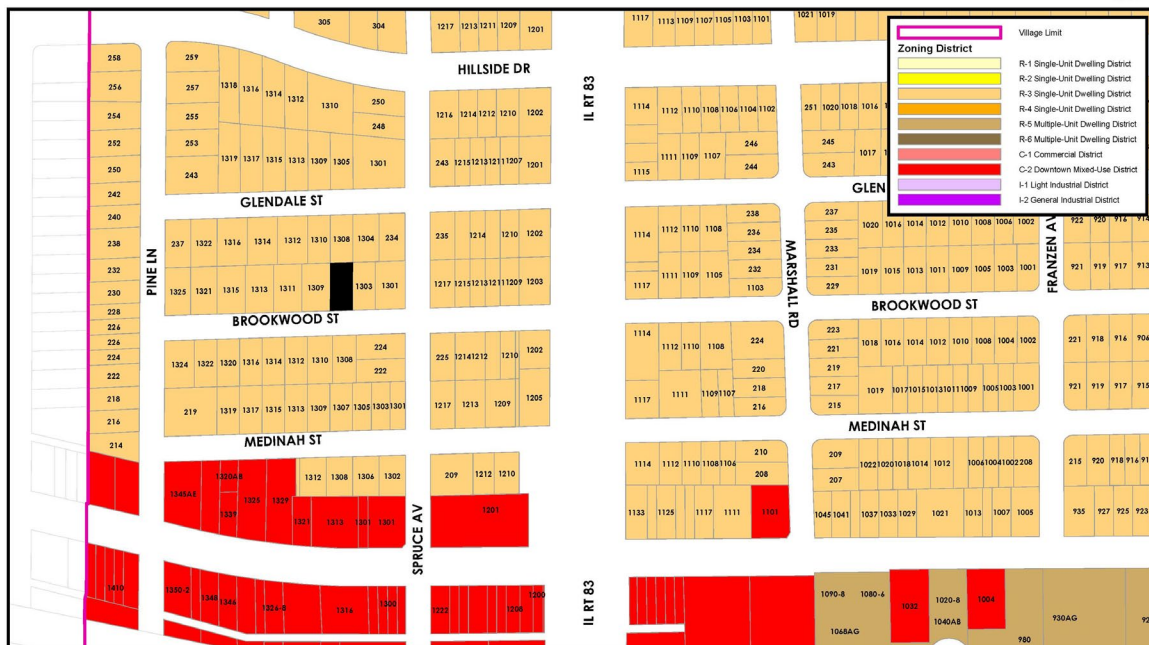
Village of Bensenville

1307 W Brookwood



Village of Bensenville

Zoning Map



**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, March 3, 2020 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2020 - 04 to consider a request for:

Variation, Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1

Variation, Driveway Location
Municipal Code Section 10 – 8 – 8 - A

at 1307 W. Brookwood Street in the R – 3 Single-Unit Dwelling District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:

OF THE EAST HALF OF LOT 7 IN BLOCK 42 IN FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, BEING A SUBDIVISION IN SECTIONS 10, 11, 14, AND 15 , TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213044, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 1307 W. Brookwood Street, Bensenville, IL 60106.

Jovita & Juventino Landin are the owners and applicants for the subject property.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, IL 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend and will be heard at the Public Hearing. Written comments will be accepted by the Community and Economic Development Department through March 3, 2020 until 5:00 P.M.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
February 13, 2020**

For Office Use Only

Date of Submission: 1/28/20 MUNIS Account #: 9802 CDC Case #: 2020-04

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 1307 Brookwood st Bensenville ILL 60106

Property Index Number(s) (PIN): 03-15-220-016

A. PROPERTY OWNER:

Name Juventino Landin Corporation (if applicable)
 Street 1307 Brookwood st ILL. 60106
 City Bensenville State ILL. Zip Code 60106
 Contact Person Juventino Landin Telephone Number & Email Address (630) 600-7057 or (630) 600-8384

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.

B. APPLICANT: ☒ Check box if same as owner LandinJovita44@gmail.com

Name Juventino Landin Corporation (if applicable)
 Street 1307 Brookwood st
 City Bensenville State ILL. Zip Code 60106
 Contact Person Juventino Landin Telephone Number & Email Address (630) 600-7057 or (630) 600-8384

C. ACTION REQUESTED (Check applicable):

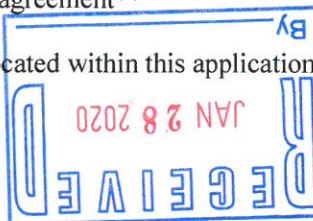
- ☐ Annexation
- ☐ Special Use Permit
- ☐ Master Sign Plan
- ☐ Planned Unit Development*
- ☐ Plat of Subdivision
- ☐ Rezoning (Map Amendment)
- ☐ Site Plan Review
- ☒ Variance

*See staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- ☒ Affidavit of Ownership** (signed/notarized)
- ☒ Application**
- ☒ Approval Criteria**
- ☒ Plat of Survey/Legal Description
- ☒ Site Plan
- ☐ Building Plans & Elevations
- ☐ Engineering Plans
- ☐ Landscape Plan
- ☒ Application Fees
- ☒ Fees agreement**

**Item located within this application packet.



Brief Description of Request(s): (Submit separate sheet if necessary)

Our request is the expansion of the driveway.

D. PROJECT DATA:

1. General description of the site: Residential Home
2. Acreage of the site: 41ft x 10ft Building Size (if applicable): 1,480 SF
0.17 acre
3. Is this property within the Village limits? (Check applicable below)
☒ Yes
☐ No, requesting annexation
☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	R-3	Residential	Bensenville
North:	R-3	Residential	Bensenville
South:	R-3	Residential	Bensenville
East:	R-3	Residential	Bensenville
West:	R-3	Residential	Bensenville

E. APPROVAL CRITERIA:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Criteria, found on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Criteria."

Juventino & Jovita Landin
1307 Brookwood St.
Bensenville, IL 60106

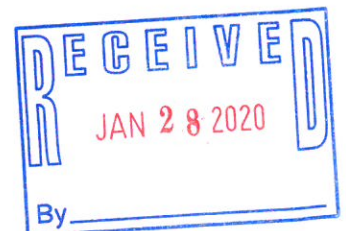
January 24, 2020

Dear Community and Economic Development Staff,

We are requesting the expansion of our driveway. The property we have has given us hardship in regard to the dimensions of the driveway and it is not accommodating a family of four. The criteria we fit into is:

1. "Special Circumstances": The home we live in is a small house and accommodates a family of four. During the time when we moved to Bensenville in 1999, our daughters were children and the drive way only occupied 2 cars. 2020 there are 4 adults with a car; the driveway doesn't accommodate the space to occupy 4 cars.
2. "Hardship or Practical Difficulties": Due to the small size of the driveway and the number of people who live in this home with a vehicle, we are unable to fit all vehicles. This causes us to have to park on the street or side of the driveway, which is not allowed on a regular basis.
3. "Circumstances related to property": Each member of our family has a vehicle and given the space, it makes it difficult to park.
4. "Not Resulting from Applicant Action": Because of the difficulty in parking we have resulted in parking on the side of the house in order to comply with the no parking in the street policy.
5. "Preserves Rights Conferred by District": In the past we have tried to expand the driveway, however permission was not granted. We hope we are able to expand the driveway in a way that will comply with Bensenville and DuPage County.
6. "Necessary for Use of Property": we need a reasonable size driveway in order to live comfortably on our property. We are currently deprived of reasonable use of the property that we live on. Giving us the necessary space to adjust to our living circumstance will help our family a great deal and relief us of our worry in having to park on the street or side.
7. "Not Alter Local Character": Furthermore, the granting of the expansion of the driveway will not alter the essential character of the locality nor substantially impair environmental quality, property values, or public safety or welfare in the vicinity, fitting our situation under criteria
8. "Consistent with Ordinance and Plan": the granting of this variance will be in harmony with the general purpose and intent of this Ordinance and of the General Development Plan and other applicable plans of the Village of Bensenville and is the minimum required to provide us with the relief from undue hardship and difficulty of parking on our property.
9. "Minimum Variance needed": We ask for permission to expand the driveway to have the ability to park effectively. We would like to expand 2ft. from the West side and 8ft from the East side of the driveway. We want to use blacktop to add the dimensions to the driveway.

Thank you,



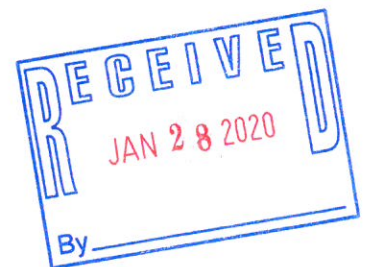
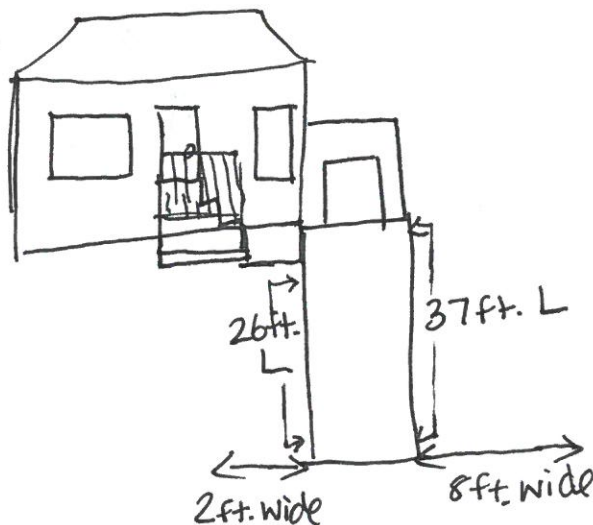
Juventino Landin
1307 Brookwood St.
Bensenville, IL 60006

January 13th, 2020

Dear Community and Economic Development Staff,

We are requesting the expansion of our driveway.

The property we have has given us hardship in regards to the dimensions of the driveway and having the ability to accommodate a family of 4. The criteria we fit into is #3 "Circumstances relate to property." Each member of our family has a vehicle and given the space it makes it difficult to park. We ask for permission to expand the driveway to have the ability to park effectively. We would like to expand 2ft. from the west side and 8ft. from the east side of the driveway. We want to use blacktop to add the dimensions of the driveway.



Juventino Landin
1-13-2020

STAFF REPORT

HEARING DATE: March 3, 2020
CASE #: 2020 – 04
PROPERTY: 1307 W. Brookwood Street
PROPERTY OWNER: Jovita & Juventino Landin
APPLICANT: Same
SITE SIZE: 7,405 SF
BUILDING SIZE: 1,408 SF
PIN NUMBER: 03-15-220-016
ZONING: R-3 Single-Unit Dwelling District
REQUEST: Variation, Driveway Location
Municipal Code Section 10 – 8 – 8 – A
Variation, Maximum Driveway Width
Municipal Code Section 10 – 8 – 8 – 1

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, February 13, 2020. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Friday, February 14, 2020.
3. On Friday, February 14, 2020, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

SUMMARY:

The Petitioners are requesting two Variations to expand their current driveway width of 10' to 20' by paving 2' to the west and 8' to the east of the existing driveway. The existing driveway is used to access an attached, single-car garage. The Petitioners received a correction notice for parking on an unimproved surface on January 2, 2020.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	R – 3	Residential	Residential	Village of Bensenville
North	R – 3	Residential	Residential	Village of Bensenville
South	R – 3	Residential	Residential	Village of Bensenville
West	R – 3	Residential	Residential	Village of Bensenville
East	R – 3	Residential	Residential	Village of Bensenville

DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village
<input checked="" type="checkbox"/>	Enrich the Lives of Residents
<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) Account up to date.

Police:

- 1) No objection.

Engineering and Public Works:

Public Works:

- 1) No comments.

Engineering:

- 1) Paving to the east property line creates drainage issues and may affect the neighboring property.
- 2) Staff recommends that the driveway be paved to be in line with the existing walkway to the east of the garage and increasing the pavement on the west for additional parking. Applicant shall submit the dimensions needed.
- 3) The apron shall not extend past the property lines.

Community & Economic Development:

Fire Safety:

- 1) No comments.

Building:

- 1) A 20 foot wide apron plus the apron flares will not work on the east side as the flare will end up in the ROW of the neighboring property and it appears there is a telephone or power pole in the ROW in the same area.
- 2) All construction, at a minimum, shall be in accordance with the Village driveway/apron and public sidewalk standards.

Planning:

- 1) The 2015 Comprehensive Plan indicates "Single-Family Residential" for this property.
- 2) The current zoning is R-3 Single-Unit Dwelling District.
- 3) Per § 10-8-8-A, driveways shall be at least one foot from the interior side lot line.
 - a. Proposed extension plans indicate the new pavement abutting the east interior lot line.
 - b. Historically with driveway and parking area Variations, the one foot setback has always been a condition of approval.
- 4) Per § 10-8-8-1, the maximum driveway width for a single-unit dwelling is ten feet. Applicants seek to extend the width is twenty feet.
- 5) Increasing maximum driveway width is not a typical Variation request.

- 6) The adjacent property to the east has an existing driveway which is similar to this petition's request. See image below



APPROVAL CRITERIA FOR VARIATIONS:

- 1) **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the Variations are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.

Applicant's Response: The home we live in is a small house and accommodates a family of four. During the time when we moved to Bensenville in 1999, our daughters were children and the drive way only occupied 2 cars. 2020 there are 4 adults with a car; the driveway doesn't accommodate the space to occupy 4 cars.

- 2) **Hardship or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

Applicant's Response: Due to the small size of the driveway and the number of people who live in this home with a vehicle, we are unable to fit all vehicles. This causes us to have to park on the street or side of the driveway, which is not allowed on a regular basis.

- 3) **Circumstances Relate to Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil

conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

Applicant's Response: Each member of our family has a vehicle and given the space, it makes it difficult to park.

- 4) **Not Resulting from Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the Variation have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any Variation, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

Applicant's Response: Because of the difficulty in parking we have resulted in parking on the side of the house in order to comply with the no parking in the street policy.

- 5) **Preserve Rights Conferred by District:** A Variation is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

Applicant's Response: In the past we have tried to expand the driveway, however permission was not granted. We hope we are able to expand the driveway in a way that will comply with Bensenville and DuPage County.

- 6) **Necessary for Use of Property:** The grant of a Variation is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a Variation the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

Applicant's Response: We need a reasonable size driveway in order to live comfortably on our property. We are currently deprived of reasonable use of the property that we live on. Giving us the necessary space to adjust to our living circumstance will help our family a great deal and relief us of our worry in having to park on the street or side.

- 7) **Not Alter Local Character:** The granting of the Variation will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

Applicant's Response: Furthermore, the granting of the expansion of the driveway will not alter the essential character of the locality nor substantially impair environmental quality, property values, or public safety or welfare in the vicinity, fitting our situation under criteria

- 8) **Consistent with Title and Plan:** The granting of a Variation will be in harmony with the general purpose and intent of this Title and of the general development plan and

other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

Applicant's Response: The granting of this variance will be in harmony with the general purpose and intent of this Ordinance and of the General Development Plan and other applicable plans of the Village of Bensenville and is the minimum required to provide us with the relief from undue hardship and difficulty on parking on our property.

- 9) **Minimum Variation Needed:** The Variation approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

Applicant's Response: We ask for permission to expand the driveway to have the ability to park effectively. We would like to expand 2ft. from the West side and 8ft from the East side of the driveway. We want to use blacktop to add the dimensions to the driveway.

Variation – Driveway Location	Meets Criteria	
Variation Approval Criteria	Yes	No
1. Special Circumstances	X	
2. Hardship	X	
3. Circumstances relate to the Property		X
4. Not Resulting from Applicant Actions	X	
5. Preserve Rights Conferred By District	X	
6. Necessary for the Use of the Property		X
7. Not Alter Local Character	X	
8. Consistent with Title and Plan	X	
9. Minimum Variation Needed		X

Variation – Maximum Driveway Width	Meets Criteria	
Variation Approval Criteria	Yes	No
10. Special Circumstances	X	
11. Hardship	X	
12. Circumstances relate to the Property	X	
13. Not Resulting from Applicant Actions	X	
14. Preserve Rights Conferred By District	X	
15. Necessary for the Use of the Property	X	
16. Not Alter Local Character	X	
17. Consistent with Title and Plan	X	
18. Minimum Variation Needed	X	

RECOMMENDATIONS:

Staff recommends the Denial of the above Findings of Facts as they pertain to the first request and therefore the Denial of the Variation for Driveway Location.

Staff recommends the Approval of the above Findings of Fact as they pertain to the second request and therefore the Approval of the Variation to exceed maximum driveway width with the following conditions:

- 1) The driveway be paved in line with the existing walkway to the east of the garage and increasing the pavement on the west in order to increase the driveway width to twenty feet;
- 2) The exact placement of the driveway will be determined by drainage and engineering concerns;
- 3) The apron shall not extend past the property lines; and
- 4) All construction, at a minimum, shall be in accordance with the Village driveway/apron and public sidewalk standards.

Respectfully Submitted,

Department of Community & Economic Development

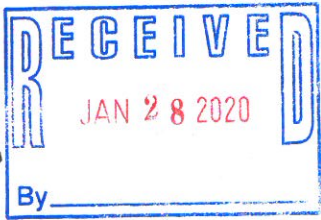
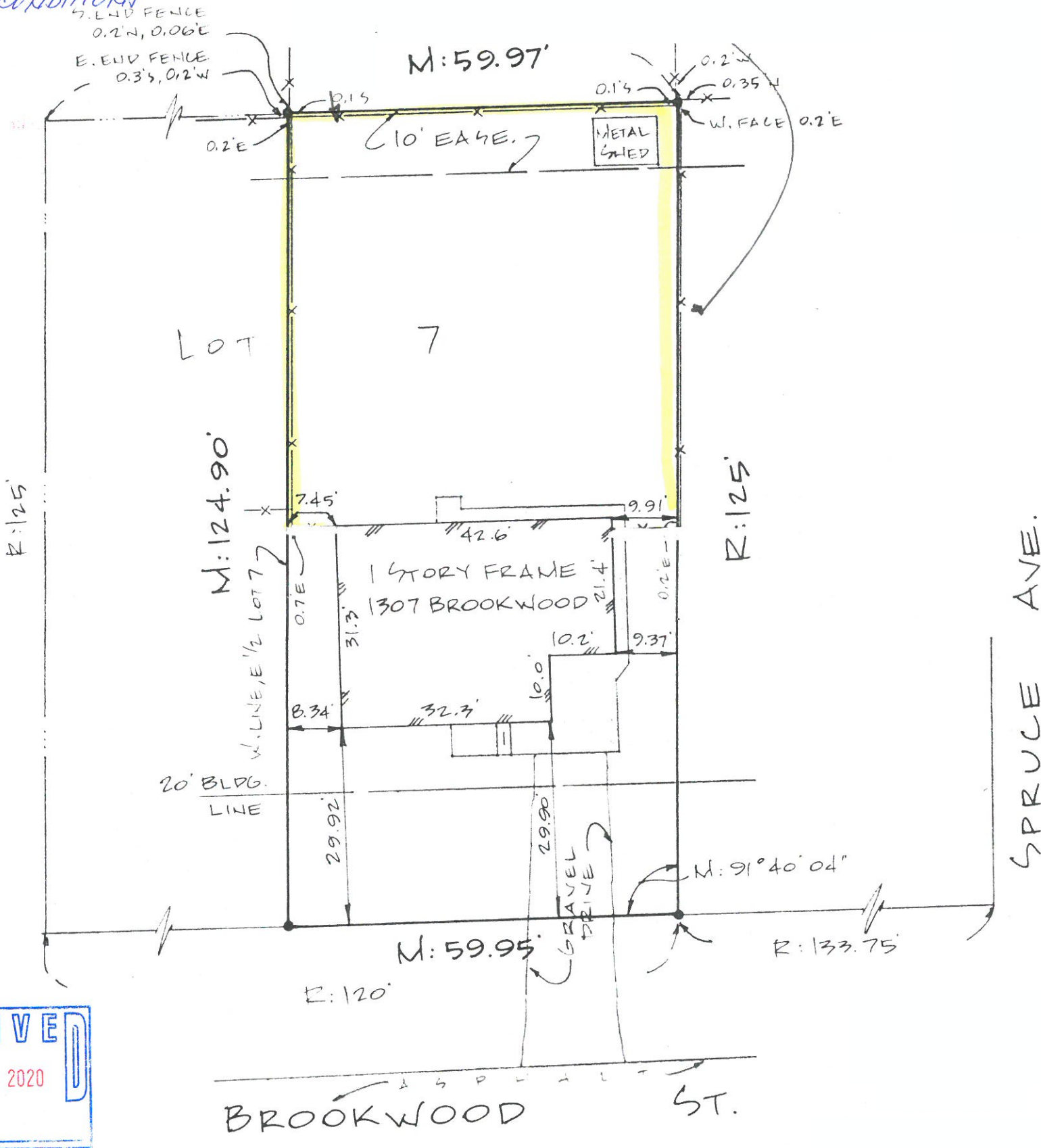
PLAT OF SURVEY

OF THE EAST HALF OF LOT 7 IN BLOCK 42 IN FIRST ADDITION TO PERCY WILSON'S IRVING PARK MANOR, BEING A SUBDIVISION IN SECTIONS 10, 11, 14 AND 15, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 7, 1926 AS DOCUMENT 213044, IN DUPAGE COUNTY, ILLINOIS.

REVIEWED FOR CODE COMPLIANCE
VILLAGE OF BENSENVILLE

BY: Open DATE: 10-13-10

NEITHER APPROVAL OF PLANS NOR ANY STATEMENTS MADE BY VILLAGE EMPLOYEES OR AGENTS SHALL RELIEVE THE ARCHITECT, CONTRACTOR OR OWNER FROM COMPLIANCE WITH APPLICABLE VILLAGE REGULATIONS OR ANY FEDERAL OR STATE REGULATIONS INCLUDING BUT NOT LIMITED TO THE AMERICANS WITH DISABILITIES ACT. W/ CONDITIONS



Legend	
R - record distance	CH - chord
M - measured distance	● Found iron
D - deed	○ Set iron
Concrete shown shaded	⊗ Utility pole w/ ovhd. wires
-X-X-X- Fence line	
/// Limits of building	
Scale 1"=20 feet	

Date of Survey MAR. 23, 1999

State of Illinois

County of DuPage

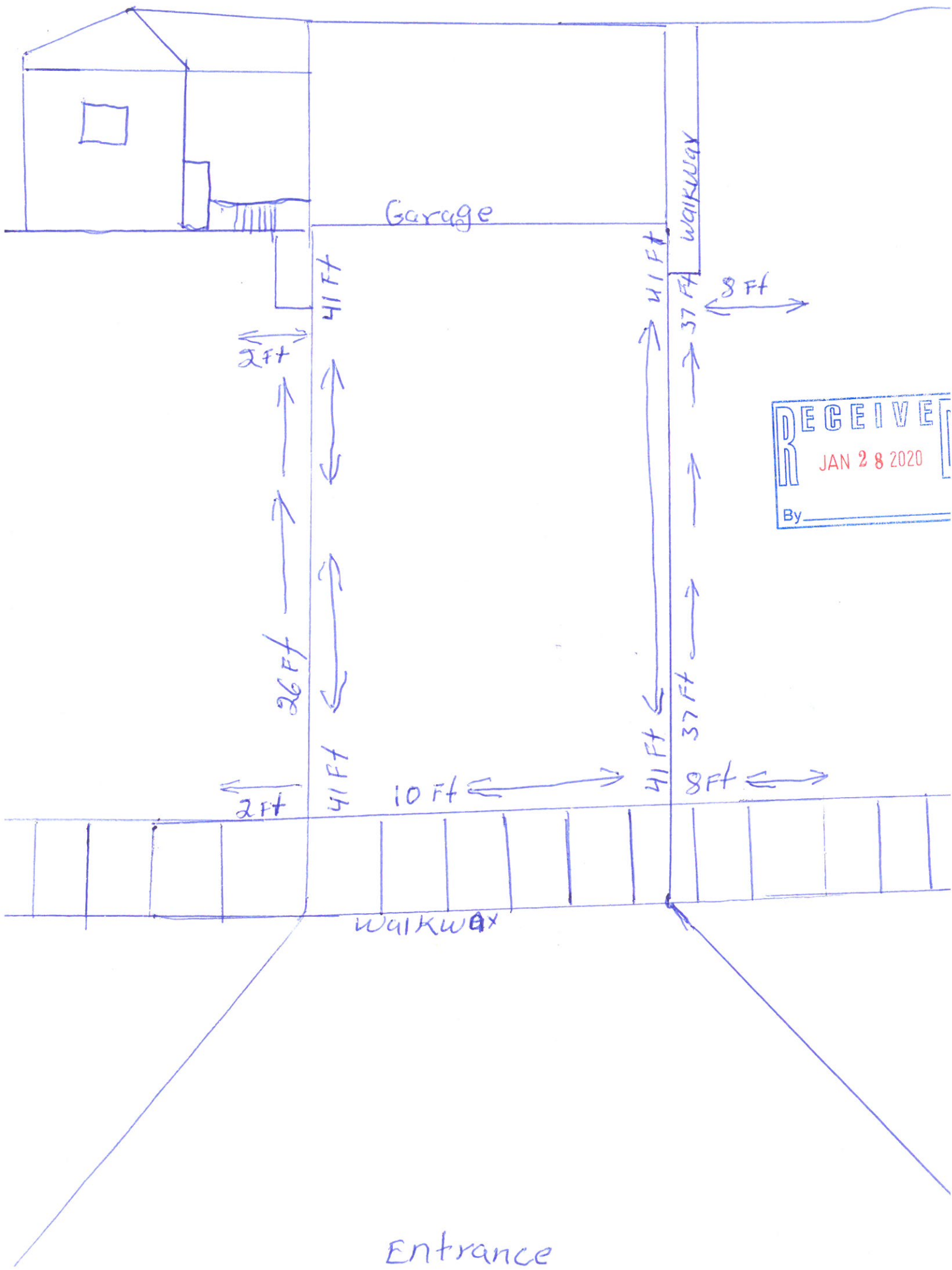
I hereby certify that the above described property has been surveyed, under my supervision, according to the official record and that the above plat correctly represents said survey. All distances are in feet and decimals thereof.

I hereby certify that unless otherwise shown, the buildings on the parcel are within property lines and the adjoining visible improvements do not encroach on the above described property.

Vernon B. Fuge

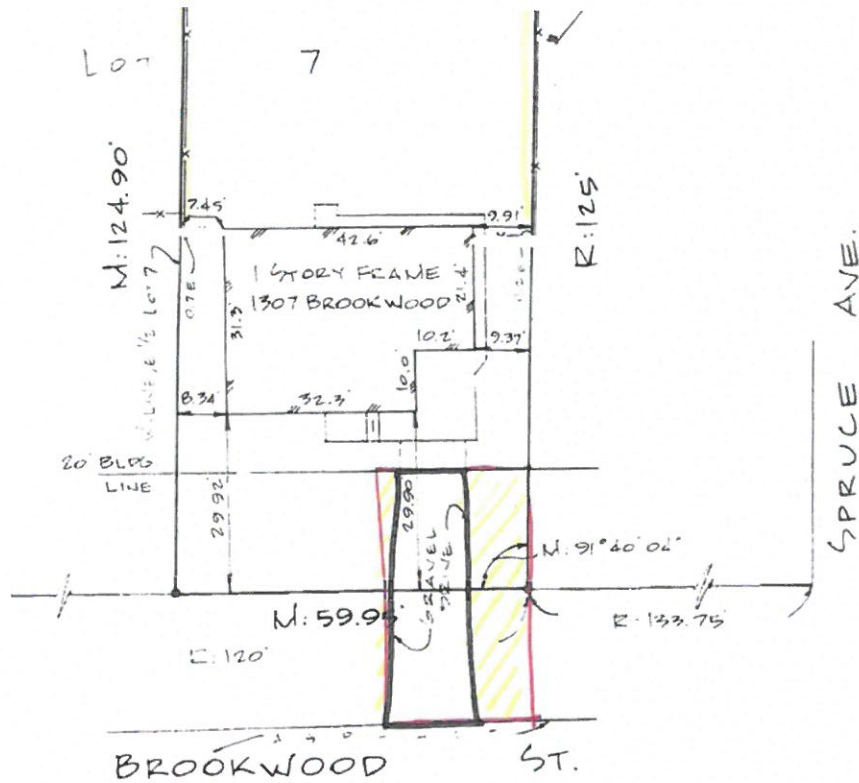
Compare the description of this plat with deed. Refer to title policy for items of record not shown above. Unless otherwise noted, utilities within easements are not shown hereon. Underground utilities including but not limited to conduits and cables (if any) have not been shown hereon.

**SCHLAF-SEDIG
& ASSOCIATES, INC.**
1030 Summerfield Drive
Roselle, Illinois 60172
(630) 924-7100



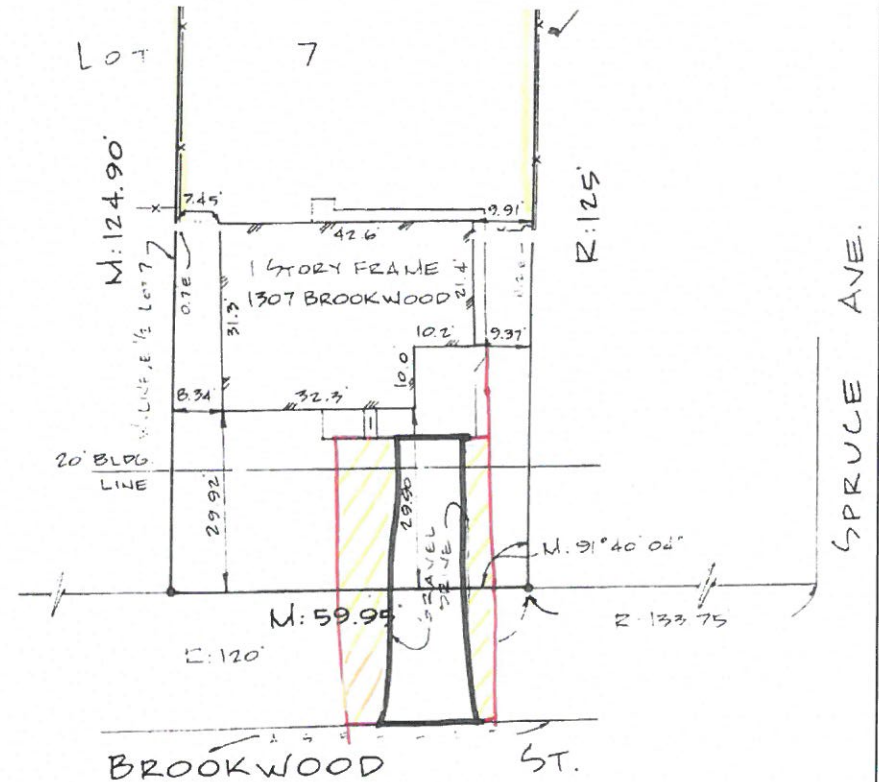
Proposed Applicant Extension Plan

- Extend Driveway to the east property line
- Extend driveway to the west by 2 feet
 - Total width of 20 feet



Proposed Engineering Extension Plan

- Extension is paved in line with existing walkway to the east of the garage (Approx. 3 feet extension)
- Extend driveway to west about 7 feet
 - Total width of 20 feet



TYPE:Public Hearing**SUBMITTED BY:**K. Fawell**DEPARTMENT:**CED**DATE:**03.03.20**DESCRIPTION:**Consideration of a Variation to allow recreational vehicle parking in the front yard at 249 S. Church Road.***SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:***

<input type="checkbox"/>	Financially Sound Village	<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

REQUEST:

1. Variation, Recreational Vehicle Parking Location, Municipal Code Section 10-8-10-F

SUMMARY:

1. The Petitioner is requesting a Variation to continue parking their camper on a concrete pad in the front yard.
2. Recreational vehicle parking is only allowed in the interior side yard and/or rear yard per Village Zoning Ordinance.
3. The Petitioner received a correction notice for parking the above cited recreational vehicle as well as a trailer in the front yard on December 16, 2019.
 1. The Petitioner removed the trailer from the property on February 24, 2020.

RECOMMENDATION:

1. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation to allow a recreational vehicle to be parked in the front yard with the following condition:
 1. The recreational vehicle shall be screened by landscape elements on three sides. A landscape plan shall be submitted and approved by Village Staff.

ATTACHMENTS:

Description	Upload Date	Type
Case Coverage	2/26/2020	Backup Material
Aerial & Zoning Maps	2/26/2020	Backup Material
Legal Notice	2/26/2020	Backup Material
Application	2/26/2020	Backup Material
Approval Criteria	2/26/2020	Backup Material
Staff Report	2/26/2020	Executive Summary
Plat of Survey	2/26/2020	Backup Material
Plans	2/26/2020	Backup Material



BENSENVILLE

COMMUNITY DEVELOPMENT COMMISSION

Public Hearing 03.03.20

CDC Case #2020 – 02

**Ryan Lee
249 S. Church Road**

**Variation, Recreational Vehicle Parking Location
Municipal Code Section 10 – 8 – 10 – F**

1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans





Village of Bensenville

249 S Church Rd

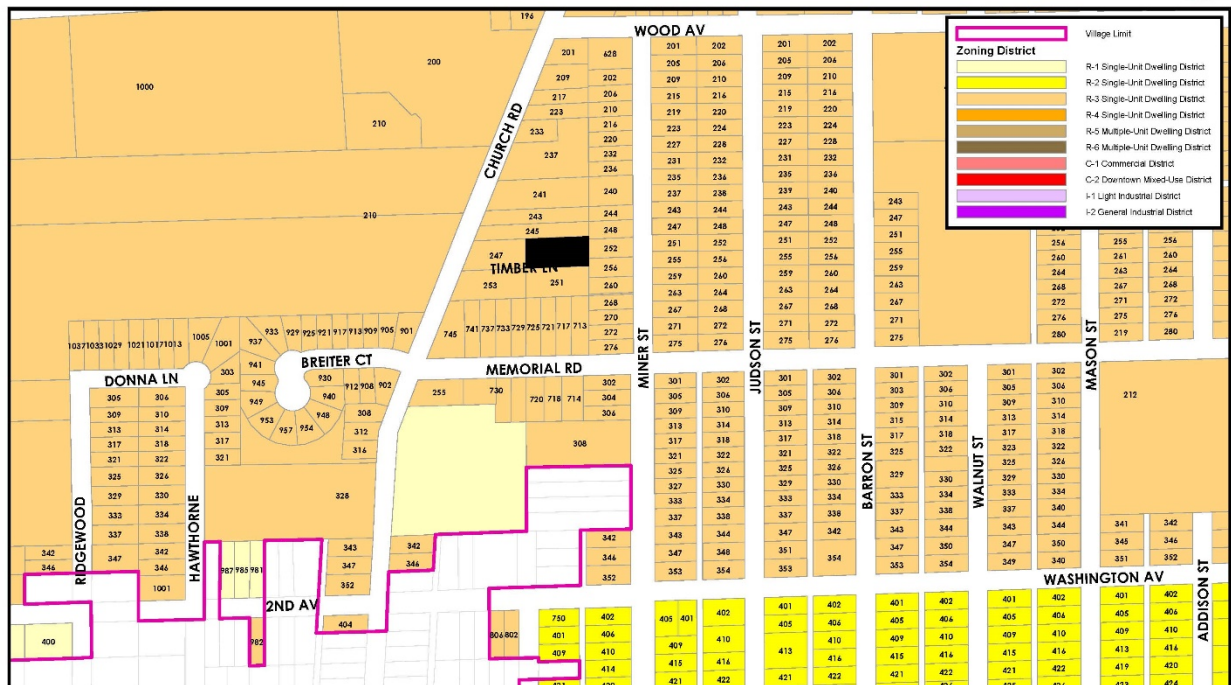


Date: 1/20/2020



Village of Bensenville

Zoning Map



Date: 1/20/2020

**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, March 3, 2020 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2020 - 02 to consider a request for:

Variation, Recreational Vehicle Parking Location
Municipal Code Section 10 – 8 – 10 – F

at 249 S. Church Road in the R – 3 Single-Unit Dwelling District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:

THE WEST 213 FEET OF THE EAST 396 FEET OF THE NORTH 100 FEET OF THE SOUTH 433 FEET, BOTH AS MEASURED ON THE EAST LINES THEREOF, OF THAT PART LYING EAST OF THE CENTER OF CHURCH ROAD OF THE SOUTHWEST ¼ OF SECTION 14, TOWNSHIP 40 NORTH RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Commonly known as 249 S. Church Road, Bensenville, IL 60106.

Ryan Lee of 249 S. Church Road is the owner and applicant for the subject property.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, IL 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend and will be heard at the Public Hearing. Written comments will be accepted by the Community and Economic Development Department through March 3, 2020 until 5:00 P.M.

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE BENSENVILLE INDEPENDENT
February 13, 2020**

For Office Use Only		
Date of Submission: <u>1/17/20</u>	MUNIS Account #: <u>9788</u>	CDC Case #: <u>2020-02</u>

COMMUNITY DEVELOPMENT COMMISSION APPLICATION

Address: 249 S CHURCH RD. BENSENVILLE IL 60106

Property Index Number(s) (PIN): 03-14-318-012-0000

A. PROPERTY OWNER:

Name RYAN LEE Corporation (if applicable) _____

Street 249 S CHURCH RD

City BENSENVILLE State IL Zip Code 60106

Contact Person RYAN LEE Telephone Number & Email Address 630-272-7651 JAVELINHONDA@SBC GLOBAL.NET

*If Owner is a Land Trust, attach a list of the names and addresses of the beneficiaries of the Trust.

B. APPLICANT: ☒ Check box if same as owner

Name _____ Corporation (if applicable) _____

Street _____

City _____ State _____ Zip Code _____

Contact Person _____ Telephone Number & Email Address _____

C. ACTION REQUESTED (Check applicable):

- ☐ Annexation
- ☐ Special Use Permit
- ☐ Master Sign Plan
- ☐ Planned Unit Development*
- ☐ Plat of Subdivision
- ☐ Rezoning (Map Amendment)
- ☐ Site Plan Review
- ☒ Variance

*See staff for additional information on PUD requests

SUBMITTAL REQUIREMENTS:

- ☐ Affidavit of Ownership** (signed/notarized)
- ☐ Application**
- ☐ Approval Criteria**
- ☐ Plat of Survey/Legal Description
- ☐ Site Plan
- ☐ Building Plans & Elevations
- ☐ Engineering Plans
- ☐ Landscape Plan
- ☐ Application Fees
- ☐ Fees agreement**

**Item located within this application packet.

Brief Description of Request(s): (Submit separate sheet if necessary)

I WOULD LIKE TO KEEP MY CAMPER ON THE WEST CORNER OF
MY FRONT LOADING DRIVEWAY. BECAUSE OF THE VERY DIFFERENT LAYOUT
OF THE PROPERTY ON THIS PRIVATE DRIVE, THIS IS THE BEST LOCATION FOR STORAGE,
ACCESSIBILITY, AND KEEPING IT OUT OF VIEW.

D. PROJECT DATA:

1. General description of the site: single-family home
2. Acreage of the site: .50 Building Size (if applicable): 1400 SQ FT
3. Is this property within the Village limits? (Check applicable below)
☒ Yes
☐ No, requesting annexation
☐ No, it is under review by another governmental agency and requires review due to 1.5 mile jurisdiction requirements.
4. List any controlling agreements (annexation agreements, Village Ordinances, site plans, etc.)

5. Character of the site and surrounding area:

	Zoning	Existing Land Use	Jurisdiction
Site:	<u>R-3</u>	<u>Residential</u>	<u>Bensenville</u>
North:	<u>↓</u>	<u>↓</u>	<u>↓</u>
South:	<u>↓</u>	<u>↓</u>	<u>↓</u>
East:	<u>↓</u>	<u>↓</u>	<u>↓</u>
West:	<u>↓</u>	<u>↓</u>	<u>↓</u>

E. APPROVAL CRITERIA:

The applicant must compose a letter describing how the request(s) specifically meets the individual criteria from the appropriate Approval Criteria, found on the following pages. The CDC will be unable to recommend approval of a request without a response to the pertinent "Approval Criteria."

Approval Criteria for Variances

Questions and Answer's

Ryan Lee

1 - Special Circumstances

Due to the unique circumstances of my property layout with the front yard, side yard, and placement of house and driveway off of a private drive, it is my opinion that the best spot for the camper is where it currently is parked, on the west side of my front load driveway, which is on the private drive. This location has a tree shading the area, and tall bushes that I will extend in the spring of 2020. It is very concealed from view in this described area.

2 - Hardship or Practical Difficulties

Any other area will not work for placement of the camper due to the visibility of where it would be in relation to the main road called church (at the end of my private drive). The shag bark hickory would have to be removed, and a brick flower box would have to be demolished and removed. (Please see enclosed picture in packet)

3 - Circumstances that Relate to Property

All of my request is due to the circumstances of my property. The visibility, being closer to Neighbors, removal of trees, and brick flower box are all circumstances that would be of negative effect if the camper had to be moved from its current screened position.

4 - Not Resulting from Applicant Action

This is not resulting from applicant action. I am not trying to hide this situation from the Village. This camper has been parked here for 5 years, and I am now trying to work with the Village since this has been brought to their attention.

5 - Preserves Rights Conferred by District

This variance would preserve the rights conferred by the district. It is the best, most suitable spot to store the camper on this very different property lay-out situation.

6 - Necessary for Use of Property

This is necessary for the property. My family enjoys camping several times a year, and the camper needs to be on site to prepare for camping trips. The current parking situation that it is on, (what I'm asking for a variance for) is the best spot to prepare, load, hitch and

maneuver the camper on and off my property. I don't have to drive through front, or side yard grass to achieve this.

7 - Not Alter Local Character

This variance would not alter the local character in any way.

8 - Consistent with Ordinance and Plan

This variance would be completely consistent with ordinance and plan of the Village

9 - Minimum Variance Needed

My request is the minimum variance needed. The camper would remain out of view, and also would not require extensive construction and tree removal to place it, essentially, in the view of Church road and Neighbors.

STAFF REPORT

HEARING DATE: March 3, 2020
CASE #: 2020 – 02
PROPERTY: 249 S. Church Road
PROPERTY OWNER: Ryan Lee
APPLICANT: Same
SITE SIZE: 21,345 SF
BUILDING SIZE: 1,400 SF
PIN NUMBER: 03-14-318-022
ZONING: R-3 Single-Unit Dwelling District
REQUEST: Variation, Recreational Vehicle Parking Location
Municipal Code Section 10 – 8 – 10 – F

PUBLIC NOTICE:

1. A Legal Notice was published in the Bensenville Independent on Thursday, February 13, 2020. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted a Notice of Public Hearing sign on the property, visible from the public way on Friday, February 14, 2020.
3. On Friday, February 14, 2020, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

SUMMARY:

The Petitioner is requesting a Variation to continue parking their camper in the front yard on a concrete pad. Recreational vehicle parking is only allowed in the interior side yard and/or rear yard per Village Zoning Ordinance.

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	R – 3	Residential	Residential	Village of Bensenville
North	R – 3	Residential	Residential	Village of Bensenville
South	R – 3	Residential	Residential	Village of Bensenville
West	R – 3	Residential	Residential	Village of Bensenville
East	R – 3	Residential	Residential	Village of Bensenville

DEPARTMENT COMMENTS:

SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:

<input type="checkbox"/>	Financially Sound Village
<input type="checkbox"/>	Quality Customer Oriented Services
<input type="checkbox"/>	Safe and Beautiful Village
<input checked="" type="checkbox"/>	Enrich the Lives of Residents
<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Vibrant Major Corridors

Finance:

- 1) Account up to date.

Police:

- 1) No objection.

Engineering and Public Works:

Public Works:

- 1) No comments.

Engineering:

- 1) No comments.

Community & Economic Development:

Fire Safety:

- 1) No comments.

Building:

- 1) Using the submitted drawing, appears the camper can be parked in the interior side yard on an approved surface in accordance with the current Village Code.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Single-Family Residential” for this property.
- 2) The current zoning is R-3 Single-Unit Dwelling District.
- 3) On December 16, 2019, the Applicant received a correction notice for parking a recreational vehicle in the front yard and has since been working with Village Staff to correct this issue.
- 4) Per § 10-8-10-F, recreational vehicle parking is allowed only in the interior side yard and/or rear yard.
- 5) Allowing a recreational vehicle to be parked in the front yard of a property is not a typical Variation request.
- 6) In the event that the request is granted, Staff recommends that significant landscape screening be required as a condition of approval.

APPROVAL CRITERIA FOR VARIATIONS:

- 1) **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the Variations are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them.

Applicant's Response: Due to the unique circumstances of my property layout with the front yard, side yard, and placement of house and driveway off of a private drive, it is my opinion that the best spot for the camper is where it currently is parked, on the west side of my front load driveway, which is on the private drive. This location has a tree shading the area, and tall bushes that I will extend in the spring of 2020. It is very concealed from view in this described area.

- 2) **Hardship or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience.

Applicant's Response: Any other area will not work for placement of the camper due to the visibility of where it would be in relation to the main road called church (at the end of my private drive). The shag bark hickory would have to be removed, and a brick flower box would have to be demolished and removed. (Please see enclosed picture in packet).

- 3) **Circumstances Relate to Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property.

Applicant's Response: All of my request is due to the circumstances of my property. The visibility, being closer to Neighbors, removal of trees, and brick flower box are all circumstances that would be of negative effect if the camper had to be moved from its current screened position.

- 4) **Not Resulting from Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the Variation have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any Variation, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.

Applicant's Response: This is not resulting from applicant action. I am not trying to hide this situation from the Village. This camper has been parked here for 5

years, and I am now trying to work with the Village since this has been brought to their attention.

- 5) **Preserve Rights Conferred by District:** A Variation is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties.

Applicant's Response: This variance would preserve the rights conferred by the district. It is the best, most suitable spot to store the camper on this very different property lay-out situation.

- 6) **Necessary for Use of Property:** The grant of a Variation is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a Variation the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.

Applicant's Response: This is necessary for the property. My family enjoys camping several times a year, and the camper needs to be on site to prepare for camping trips. The current parking situation that it is on, (what I'm asking for a variance for) is the best spot to prepare, load, hitch and maneuver the camper on and off my property. I don't have to drive through front, or side yard grass to achieve this.

- 7) **Not Alter Local Character:** The granting of the Variation will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

Applicant's Response: This variance would not alter the local character in any way.

- 8) **Consistent with Title and Plan:** The granting of a Variation will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof.

Applicant's Response: This variance would be completely consistent with ordinance and plan of the Village.

- 9) **Minimum Variation Needed:** The Variation approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property.

Applicant's Response: My request is the minimum variance needed. The camper would remain out of view, and also would not require extensive construction and tree removal to place it, essentially, in the view of Church road and Neighbors.

Variation Approval Criteria	Meets Criteria	
	<i>Yes</i>	<i>No</i>
1. Special Circumstances	X	
2. Hardship	X	
3. Circumstances relate to the Property	X	
4. Not Resulting from Applicant Actions	X	
5. Preserve Rights Conferred By District	X	
6. Necessary for the Use of the Property	X	
7. Not Alter Local Character	X	
8. Consistent with Title and Plan	X	
9. Minimum Variation Needed	X	

RECOMMENDATIONS:

Staff recommends the Approval of the above Findings of Fact and therefore the Approval of the Variation to allow a recreational vehicle to be parked in the front yard with the following condition:

- 1) The recreational vehicle shall be screened by landscape elements on three sides. A landscape plan shall be submitted and approved by Village Staff.

Respectfully Submitted,

Department of Community & Economic Development

BEARINGS ARE ASSUMED

PLAT OF SURVEY

LEGAL DESCRIPTION

THE WEST 213 FEET OF THE EAST 396 FEET OF THE NORTH 100 FEET OF THE SOUTH 433 FEET, BOTH AS MEASURED ON THE EAST LINES THEREOF, OF THAT PART LYING EAST OF THE CENTER OF CHURCH ROAD OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 40 NORTH RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

Commonly Known as: 249 S CHURCH ROAD
BENSENVILLE, ILLINOIS.

STATE OF ILLINOIS)
COUNTY OF DU PAGE) S.S.)

I GREGORY L. POWELL, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF A SURVEY OF THE LAND PURSUANT TO THE "MINIMUM STANDARDS OF PRACTICE," 68 IL.ADMIN.CODE, SECTION 1270.56(b)(6)(P) PERFORMED AT AND UNDER MY DIRECTION. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

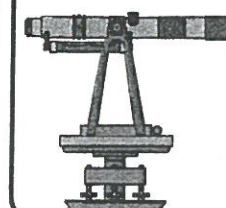
GIVEN UNDER MY HAND AND SEAL THIS 19TH DAY OF SEPTEMBER, A.D. 2012. MY LICENSE EXPIRES 12/30/2012

GREGORY L. POWELL
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3187

ORDER NO.	12-1511
Drawn by	glp
Checked	GLP
Approved	GLP
Scale	1" = 30'

Prepared for:

Hunt, Kaiser,
Aranda & Subach
1035 South York Road
Bensenville, Illinois. 60106

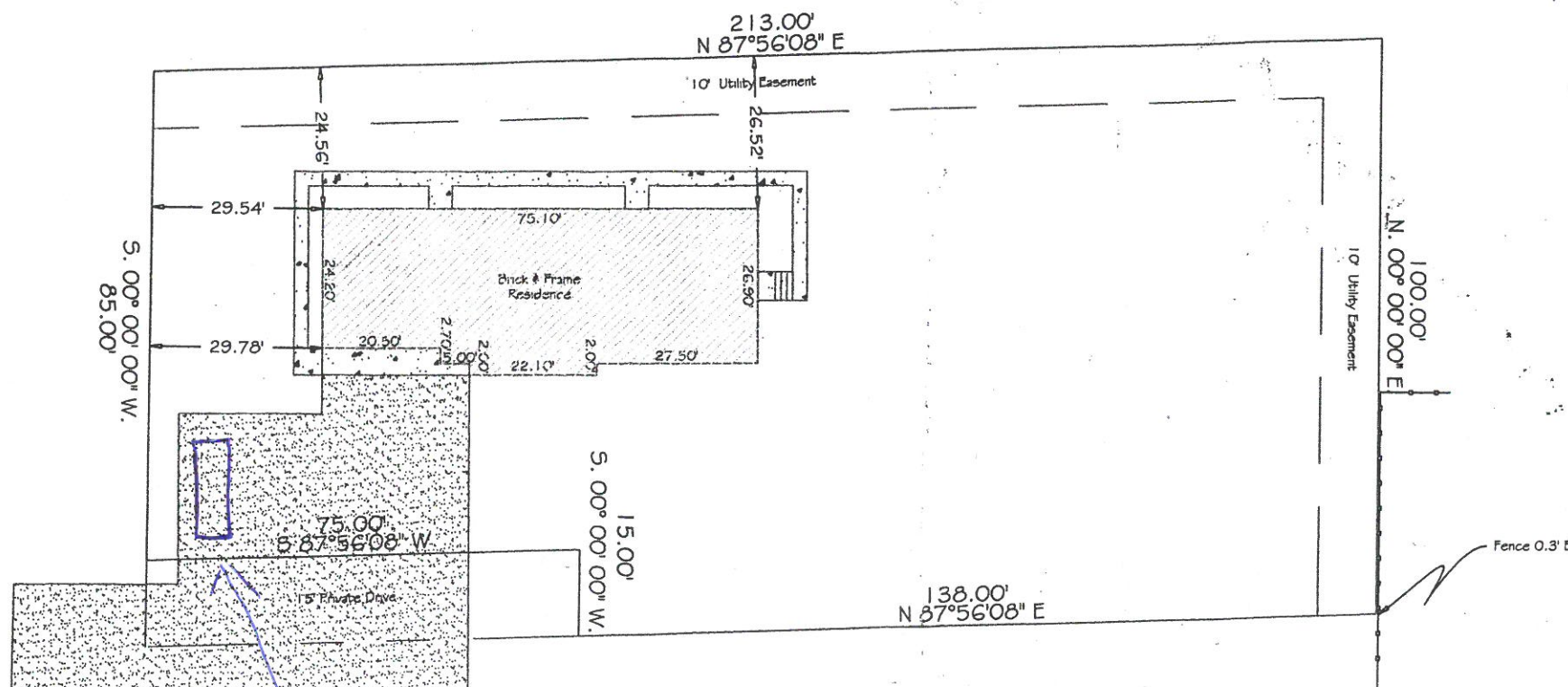


G. Powell
Professional Land
Surveyors

5892 Chatsworth Court
Hanover Park, Illinois 60133
Phone (630) 540-2557
Fax (630) 540-2558

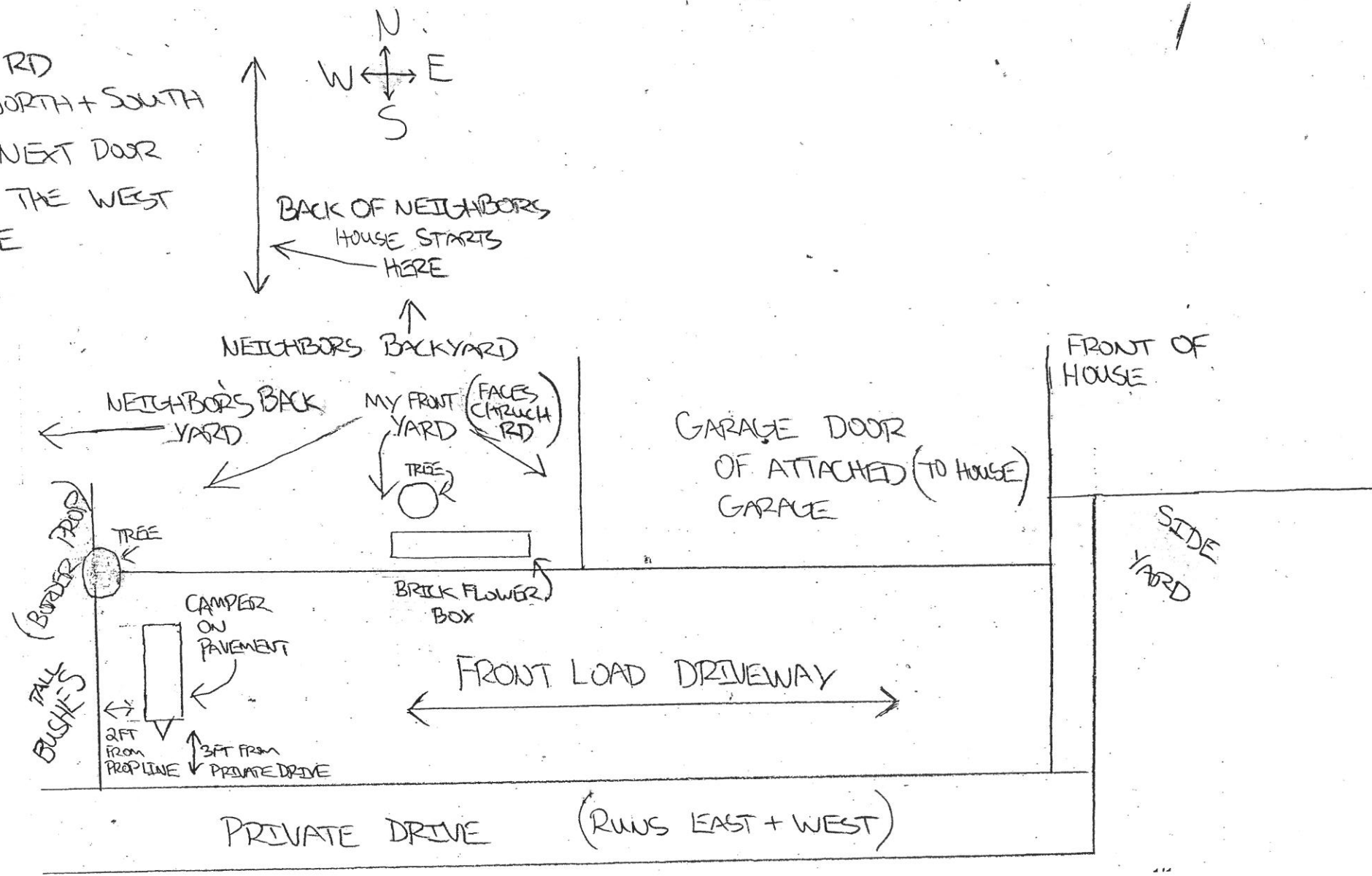
SURVEYOR'S NOTE:

IRON PIPE'S AT ALL PROPERTY CORNERS UNLESS NOTED OTHERWISE



CAMPER
25 FT 7 IN LONG
7 FT 5 IN WIDE

NOTE -
CHURCH RD
RUNS NORTH + SOUTH
AFTER NEXT DOOR
LOT TO THE WEST
OF ME



TYPE:Motion**SUBMITTED BY:**K. Pozsgay**DEPARTMENT:**CED**DATE:**03.03.2020**DESCRIPTION:**Consideration of a Preliminary & Final Plat of Subdivision at 201 S. York Rd.***SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:***

<input type="checkbox"/>	Financially Sound Village	<input checked="" type="checkbox"/>	Enrich the lives of Residents
<input type="checkbox"/>	Quality Customer Oriented Services	<input type="checkbox"/>	Major Business/Corporate Center
<input type="checkbox"/>	Safe and Beautiful Village	<input type="checkbox"/>	Vibrant Major Corridors

REQUEST:

Preliminary & Final Plat of Subdivision,
Municipal Code Section 11 – 3.

SUMMARY:

1. The Petitioner would like to subdivide his lot at 201 S. York Rd. into five (5) single unit parcels with accompanying garages and one (1) common parcel.
2. The Planned Unit Development was approved October 25, 2015. Ord. No. 47-2015.

RECOMMENDATION:

Staff recommends the approval of the Preliminary & Final Plat of Subdivision at 201 S. York Rd.

ATTACHMENTS:

Description

Upload Date

Type

Plat of Subdivision**2/28/2020****Backup Material**

FINAL PLAT OF SUBDIVISION

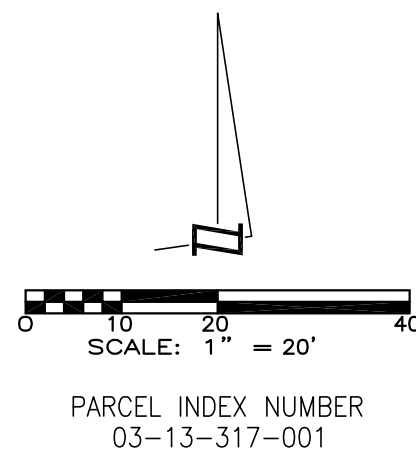
YORK WOOD RESUBDIVISION

OF

PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

PROFESSIONAL LAND SURVEYING, INC.

3080 OGDEN AVENUE SUITE 307
LISLE, ILLINOIS 60532
PHONE: 630-778-1757
PROF. DESIGN FIRM # 184-004196
E-MAIL: info@plsisle.com



COMMUNITY DEVELOPMENT DEPARTMENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
APPROVED THIS _____ DAY OF _____, A.D., 20____.
VILLAGE OF BENSENVILLE COMMUNITY DEVELOPMENT DEPARTMENT.

BY: _____
DIRECTOR OF COMMUNITY DEVELOPMENT

COMMUNITY DEVELOPMENT COMMISSION CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
APPROVED THIS _____ DAY OF _____, A.D., 20____.
VILLAGE OF BENSENVILLE COMMUNITY DEVELOPMENT COMMISSION.

BY: _____
CHAIRMAN OF DEVELOPMENT COMMISSION

VILLAGE PRESIDENT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
APPROVED AND ACCEPTED THIS _____ DAY OF _____, A.D., 20____.
BY THE PRESIDENT OF THE VILLAGE OF BENSENVILLE, ILLINOIS.

BY: _____
VILLAGE PRESIDENT

ATTEST: _____
VILLAGE CLERK

VILLAGE TREASURER CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)
I DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE NOT BEEN APPORTIONED AGAINST THE TRACT, INCLUDED IN THE PLAT.
DATED AT BENSENVILLE, ILLINOIS THIS _____ DAY OF _____, 20____.

VILLAGE TREASURER

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

AND
AS THE OWNERS, HEREBY CERTIFY THAT TO THE BEST OF OUR KNOWLEDGE THE ABOVE DESCRIBED PROPERTY IS LOCATED IN BENSENVILLE K-8 SCHOOL DISTRICT 2 AND HIGH SCHOOL DISTRICT 100.

DATED THIS _____ DAY OF _____, A.D., 20____.

BY: _____
OWNERS

SURVEYOR'S NOTES

IRON PIPES OR SURVEYOR'S NAIL ARE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.

ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

ALL EASEMENTS ARE HERETOFORE GRANTED UNLESS OTHERWISE NOTED.

ALL EASEMENTS DEPICTED ON THE PLAT MAP ARE FOR PUBLIC UTILITIES UNLESS OTHERWISE NOTED.

BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED COORDINATE SYSTEM AND ARE INTENDED ONLY TO SHOW THE ANGULAR RELATIONSHIP BETWEEN LINES.

AREA OF SURVEY

CONTAINING 16,552± SQ. FT. = 0.380 ACRES

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

THIS IS TO CERTIFY THAT I, JEFFREY R. PANKOW, ILLINOIS PROFESSIONAL LAND SURVEYOR #3483 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY AS SHOWN BY THIS PLAT, WHICH IS A CORRECT REPRESENTATION OF SAID SURVEY AND SUBDIVISION; ALL DIMENSIONS ARE IN FEET OR DECIMALS THEREOF:

LOT 1 IN B.L. FRANZEN'S SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 40 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 13, 1921 AS DOCUMENT 148922, IN DUPAGE COUNTY, ILLINOIS.

DATED THIS _____ DAY OF _____, A.D., 20____.

ILLINOIS PROFESSIONAL LAND SURVEYOR #3483
LICENSE EXPIRATION/RENEWAL DATE: NOVEMBER 30, 2020

PREPARED FOR: GRAND CONSTRUCTION
ADDRESS: 201 S. YORK ROAD, BENSENVILLE, ILLINOIS
BOOK & PG: 188/78 DATE: 10/21/2019 JOB NO: 1510441
DRAWN BY: SMR CHECK BY: _____
REVISED: _____

OWNER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE)

AND
HEREBY CERTIFIES THAT THEY ARE THE OWNERS OF THE ABOVE DESCRIBED PROPERTY AND HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT HEREON DRAWN.

DATED THIS _____ DAY OF _____, A.D., 20____.

OWNER: _____ PRINTED NAME: _____

OWNER: _____ PRINTED NAME: _____

OF: _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

I HEREBY CERTIFY THAT THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING CERTIFICATE ARE KNOWN TO ME AS SUCH OWNERS.

GIVEN UNDER MY HAND AND SEAL THIS _____ DAY OF _____, A.D., 20____.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

DU PAGE COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

I, _____, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT.

I, FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS,

THIS _____ DAY OF _____, A.D., 20____.

COUNTY CLERK

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

THIS PLAT WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DUPAGE COUNTY, ILLINOIS,

ON THE _____ DAY OF _____, A.D., 20____.

AT _____ O'CLOCK ____ M. AS DOCUMENT NUMBER _____.

RECORDER OF DEEDS

DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DU PAGE)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS AND PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION. FURTHER, AS ENGINEER, I HEREBY CERTIFY THAT THE PROPERTY WHICH IS THE SUBJECT OF THIS SUBDIVISION OR ANY PART THEREOF IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

DATED THIS _____ DAY OF _____, A.D., 20____.

ILLINOIS REGISTERED
PROFESSIONAL ENGINEER

STATE REGISTRATION NUMBER _____

REGISTRATION EXPIRATION DATE _____

PROPERTY OWNER'S SIGNATURES

BY: _____ BY: _____
OWNER OR ATTORNEY OWNER OR ATTORNEY

PRINT NAME PRINT NAME

EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND COMMUNICATION SERVICE IS HEREBY RESERVED FOR AND GRANTED TO:

COMMONWEALTH EDISON COMPANY
AND
AT&T TELEHOLDINGS INCORPORATED, ILLINOIS A.K.A. ILLINOIS BELL TELEPHONE COMPANY, GRANTEEES.

THEIR RESPECTIVE LICENSEES, SUCCESSORS AND ASSIGNS JOINTLY AND SEVERALLY, TO CONSTRUCT, OPERATE, REPAIR, MAINTAIN, MODIFY, RECONSTRUCT, REPLACE, SUPPLEMENT, RELOCATE AND REMOVE, FROM TIME TO TIME, POLES GUYS, ANCHORS, WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS, EQUIPMENT CABINETS OR OTHER FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, COMMUNICATIONS, SOUNDS AND SIGNALS IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (OR SIMILAR DESIGNATION), THE PROPERTY DESIGNATED IN THE DECLARATION OF CONDOMINIUM AND/OR ON THIS PLAT AS "COMMON ELEMENTS", AND THE PROPERTY DESIGNATED ON THE PLAT AS "COMMON AREA OR AREAS", AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHTS TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, AND COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES, ROOTS AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER GRANTEEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DASHED OR DOTTED LINES (OR SIMILAR DESIGNATION) ON THE PLAT AND MARKED "EASEMENT", "UTILITY EASEMENT", "PUBLIC UTILITY EASEMENT", "P.U.E." (OR SIMILAR DESIGNATION) WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN THE "CONDOMINIUM PROPERTY ACT", CHAPTER 765 ILCS 605/2, AS AMENDED FROM TIME TO TIME.

THE TERM "COMMON AREA OR AREAS" IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE OR AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS "OUTLOTS", "COMMON ELEMENTS", "OPEN SPACE", "OPEN AREA", "COMMON GROUND", "PARKING" AND "COMMON AREA". THE TERM "COMMON AREA OR AREAS", AND "COMMON ELEMENTS" INCLUDE REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL, RETENTION POND OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF THE GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.