

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

November 11, 2013

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

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Caira, Pisano, Rowe, Weldon
Absent: Janowiak, Rodriguez
A quorum was present.

STAFF PRESENT: V. Kosman, Rysavy, Williamsen

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission Meeting of October 28, 2013 were presented.

Motion: Commissioner Pisano made a motion to approve the minutes as presented. Commissioner Weldon seconded the motion.

All were in favor. Motion carried.

Chairman Moruzzi asked to move CDC Case No. 2013-34 to this portion of the meeting. There were no objections from the Commissioners.

Public Hearing: CDC Case Number 2013-34
Petitioner: Richard Rebmann
Location: C-4 Regional Destination PUD Commercial District
Request: Text Amendment to allow Residential Use in the C-4 District

Motion: Commissioner Weldon made a motion to continue CDC Case No. 2013-34 until December 16, 2013. Commissioner Rowe seconded the motion.

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2013-28
Petitioner: V. Seng Teaming
Location: 222 N. York Road
Request: Conditional Use Permit; Outdoor Storage and Variances

Motion: Commissioner Cairra made a motion to open CDC Case No. 2013-28. Commissioner Rowe seconded the motion.

ROLL CALL : Upon roll call the following Commissioners were present:
Moruzzi, Cairra, Pisano, Rowe, Weldon
Absent: Janowiak, Rodriguez
A quorum was present.

Chairman Moruzzi opened the Public Hearing at 6:34 p.m.

Chairman Moruzzi held a mass swearing in for members of the audience who intended to make comments related to CDC Case No. 2013-28

Village Planner, Victoria Kosman, stated a legal notice was published in the Daily Herald on October 26, 2013 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Ms. Kosman also stated that Village Staff posted a notice of the Public Hearing sign on the property on October 25, 2013. Ms. Kosman stated on October 25, 2013 Village Staff mailed first class notice of the Public Hearing to taxpayers of record within 250 feet of the property in question.

Steven Seng, President and Owner of V. Seng Teaming, was present and previously sworn in by Chairman Moruzzi. Mr. Seng stated his company had originally begun in Bensenville and re-located to Elk Grove Village and is planning to return to Bensenville. Mr. Seng stated there will be no truck maintenance on site. Mr. Seng reviewed the approval criteria for both the conditional use permit request and variances. Mr. Seng stated he had reviewed Village Staff's report and asked the Commission to strike the variance requirement for him to remove the asphalt patch along York Road and replace it with landscaping. Mr. Seng stated the property next to 222 North York Road has a similar lay out and they were allowed to keep the pavement patch. Mr. Seng stated he would not use the pavement patch for parking but does not want to have the expense of removing the pavement. Mr. Seng stated he would prefer to use fabric as a screen for the fence. Mr. Seng stated if the Commission was not in favor of the fabric, he would use vinyl rather than Staff's recommendation of aluminum.

Mr. Seng asked the Commission to be considerate of the winter weather and that he be allowed to complete the work by Spring 2014. Mr. Seng stated that after speaking with Staff he is requesting that the variance to reduce the standard parking stalls from 9 to 8.5 feet and the variance to reduce the loading space design standards from depth from 25 to 23 feet be withdrawn.

Commissioner Pisano asked if Mr. Seng plans to use barbwire on the fence. Mr. Seng stated there will be no barbwire.

Commissioner Rowe asked how many parking spots will there be used. Mr. Seng stated typically eight.

Commissioner Rowe asked if there will be long standing notice from the property. Mr. Seng stated there would be no outstanding noise from the site.

Commissioner Weldon asked if there was a major difference in cost for vinyl screening vs. aluminum screening. Mr. Seng stated he did not know the exact savings.

Commissioner Weldon asked how trailers would get in and out based off the proposed site plan. Mr. Seng stated parking stall one and two would be “dead stalls” witch would allow for easier truck transactions.

Commissioner Ciara asked how many employees would be on site. Mr. Seng stated a total of six employees.

Commissioner Ciara asked what Mr. Seng planned for the pavement patch if he was unwilling to remove it. Mr. Seng stated he was planning to install large planted pots on the patch.

Public Comment:

Chairman Moruzzi asked if there were any member of the Public that would like to give testimony for CDC Case No. 2013-28. There were none.

Ms. Kosman reviewed the Village Staff Report and stated Staff recommends approval of the conditional use permit request and variance with the following conditions:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit.
- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with aluminum slats.
- The standard parking spaces be striped as 9' x 18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Pisano asked if Staff had any objections to Mr. Seng's request to use vinyl rather than aluminum for the screening. Mr. Rysavy stated the Village has no objections to Mr. Seng using vinyl as screening.

Mr. Rysavy stated the Village would not require Mr. Seng to replace the pavement patch in the future if the building is sold. Mr. Rysavy stated the current pavement patch is against code and this is an opportunity to bring the property up to code. Mr. Seng stated he does not see the benefit to remove the pavement.

Motion: Commissioner Rowe made a motion to close CDC Case No. 2013-28. Commissioner Weldon seconded the motion.

ROLL CALL: Ayes: Moruzzi, Cairra, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the Public Hearing at 7:41p.m.

Motion: Commissioner Rowe made a motion to approval the Finding of Fact for the Conditional Use Permit request consisting of:

- **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. **No unusual increase in traffic volume is expected from the proposed trucking business as it will involve approximately ten trucks per day.**
- **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. **There are no environmental nuisances or adverse environmental effects envisioned from the proposed use as no idling, fueling or repairs will be conducted on the subject property.**

- **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. **The character of the neighborhood is commercial and light industrial. The proposed screening along the eastern and southern frontages will improve the current aesthetics of the otherwise vacant site.**
- **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area. **There will be no unusual demands placed upon the municipal services or facilities.**
- **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community. **Utilizing a long vacant facility on a prime thoroughfare in the Village is certainly in the interest of public necessity for our community.**
- **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the conditional use in its proposed location. **Other factors are subject to the Commission's judgment.**

Commissioner Weldon seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the Finding of Facts for the variance request to reduce screening consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances 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.
 - **Reducing Screening** – The special circumstances exist that are peculiar to the property in that the property to the west is elevated to a point greater than four feet and the adjacent building to the north is close in proximity to the subject property that do not apply generally to other properties in the C-4 Zoning District.

- **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.
 - **Reducing Screening** – The elimination of the screening to the north and western portion of the property allows for the use of the subject property. Requiring the screening of these portions of the property limits the maneuverability of the trucks on site thereby creating practical difficulty.

- **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.
 - **Reducing Screening** – The circumstances are peculiar to the property in that the property to the west is elevated to a point and the adjacent building to the north is close in proximity to the subject property that do not concern business activity.

- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance 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 variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
 - **Reducing Screening** – The applicant has neither created the increased elevation and railroad ties utilized on the property to the west nor the close proximity of the building to the north.
- **Preserve Rights Conferred By District:** A variance 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.
 - **Reducing Screening** – The screening variance is necessary for the applicant to enjoy a substantial property right possessed and does not confer special privilege.
- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.
 - **Reducing Screening** – The requested reduction in screening variance is necessary as the applicant would be limited on the reasonable economic return of the property as a subsequent reduction on space available for outdoor storage of the trucks would be incurred.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

- **Reducing Screening** – The variance in the reduction of screening along the northern and western portion of the property will not alter local character as the property to the west is a pallet distribution within approximately 7 feet of the subject property.
- **Consistent With Title And Plan:** The granting of a variance 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.
 - **Reducing Screening** – The requested variance is in harmony with the general development plan as it does not affect the aesthetics of the corridor.
- **Minimum Variance Needed:** The variance 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.
 - **Reducing Screening** – The minimum variance has been requested as evident in the screening of the eastern and southern frontages.

Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the Finding of Facts for the variance request for a fence and outdoor storage in the corner sideyard consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances 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.

- **Fence and Outdoor Storage in the Corner Side Yard –**
The alignment of the principle structure on the subject property and the existing conditions of the encroachment into the corner side yard are peculiar to the property.
- **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.
 - **Fence and Outdoor Storage in the Corner Side Yard –**
The alignment of the principle structure on the subject property and the existing conditions of the encroachment into the corner side yard would create hardship in the reduction of available outdoor storage.
- **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.
 - **Fence and Outdoor Storage in the Corner Side Yard –**
The alignment of the principle structure on the subject property and the existing conditions of the encroachment into the corner side yard are peculiar to the property.
- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance 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 variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
 - **Fence and Outdoor Storage in the Corner Side Yard –**
The alignment of the principle structure on the subject property and the existing conditions of the encroachment into the corner side yard have not been resultant of applicant action.

- **Preserve Rights Conferred By District:** A variance 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.
 - **Fence and Outdoor Storage in the Corner Side Yard –**
The fence and outdoor storage variance is necessary for the applicant to enjoy a substantial property right possessed by other properties within the C-4 Zoning District.
- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.
 - **Fence and Outdoor Storage in the Corner Side Yard –**
The requested fence and outdoor storage located in the corner side yard variance is necessary as the applicant would be limited on the reasonable economic return of the property as a subsequent reduction on space available for outdoor storage of the trucks would be incurred.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.
 - **Fence and Outdoor Storage in the Corner Side Yard –**
The proposed fence and outdoor storage variance increases the setback from the current location. Parking spaces currently exist without screening and the slight setback will not impair environmental quality.
- **Consistent With Title And Plan:** The granting of a variance 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.

- **Fence and Outdoor Storage in the Corner Side Yard** –
The requested variance is in harmony with the general development plan and will not invalidate or nullify any part thereof.
- **Minimum Variance Needed:** The variance 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.
- **Fence and Outdoor Storage in the Corner Side Yard** –
The minimum variance has been requested.

Commissioner Weldon seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Finding of Facts for the variance request to reduce the parking from 14 to 10 spaces consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances 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.
 - **Reduce the parking from 14 to 10 spaces** – The reduction in parking requirements is necessary as four parking spaces exist in the front yard of the property. The office space is proposed to operate with only four employees, providing an excess of parking spaces on-site.
- **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.

- **Reduce the parking from 14 to 10 spaces** – The reduction in parking requirements is necessary as four parking spaces exist in the front yard of the property.
- **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.
 - **Reduce the parking from 14 to 10 spaces** – The reduction in parking requirements is necessary as four parking spaces exist in the front yard of the property. This is a special circumstance in that the subject property exists within the York Road Corridor and to be compliant with the Comprehensive Economic Development Strategy accepted by the Village, landscape is to exist along the western portion of the property.
- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance 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 variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
 - **Reduce the parking from 14 to 10 spaces** – This request is not resultant of applicant action.
- **Preserve Rights Conferred By District:** A variance 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.
 - **Reduce the parking from 14 to 10 spaces** – No special privilege is conferred for the reduction of required parking spaces on a site for which only spaces for the four employees are necessary.

- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.
 - **Reduce the parking from 14 to 10 spaces** – The reduction of parking is necessary for the use of property operating in conformance with the Comprehensive Economic Development Strategy landscape plan for the York Road Corridor.

- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.
 - **Reduce the parking from 14 to 10 spaces** – The reduction in parking requirements will improve environmental quality it will provide an opportunity for more landscaped area on the subject property.

- **Consistent With Title And Plan:** The granting of a variance 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.
 - **Reduce the parking from 14 to 10 spaces** – The requested variance is in harmony with the general development plan as the Community Economic Development Strategy incorporated the increased landscape into the York Road corridor. Eliminating the four parking spaces along the frontage would provide an opportunity for such a corridor.

- **Minimum Variance Needed:** The variance 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.
 - **Reduce the parking from 14 to 10 spaces** – The minimum variance providing relief from undue hardship has been requested.

Commissioner Pisano seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Caira made a motion to approve the Finding of Facts for the variance request to reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances 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.
 - **Reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces** – The reduction in turning radii design standards and the request to allow the parking lot configuration are a special circumstance in that the subject property has a low volume of traffic to incur maneuvers only twice a day.
- **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.
 - **Reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces** – The reduction in turning radii design standards and the request to allow the parking lot configuration if not approved would create a hardship in the operation and maneuverability of the trucks on-site.

- **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.
 - **Reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces** – The special circumstances related to the property in regards to the turning radii and parking lot configuration due to the location of the principal structure.

- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance 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 variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
 - **Reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces** – This request is not resultant of applicant action.

- **Preserve Rights Conferred By District:** A variance 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.
 - **Reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces** – The reduction in turning radii design standards and the request to allow the parking lot configuration does not confer a special privilege.

- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.
 - **Reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces** – The turning radii design standards and parking lot configuration of stacking parking spaces is necessary as the applicant would be limited on the reasonable economic return of the property as a subsequent reduction on space available for outdoor storage of the trucks would be incurred.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.
 - **Reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces** – Granting of the variance to reduce the turning radii design standards and altered parking lot configuration for stacking spaces will not alter essential character or substantially impair environmental quality.
- **Consistent With Title And Plan:** The granting of a variance 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.
 - **Reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces** – The requested variance is in harmony with the general development plan.
- **Minimum Variance Needed:** The variance 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.

- **Reduce the turning radii design standards and to allow altered parking lot configuration for stacking parking spaces** – The minimum variance providing relief from undue hardship has been requested.

Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the Finding of Facts for the variance request for the lot area requirement in width and area consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances 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.
 - **Lot area requirements in width and area** – The variances requested to reduce the lot width and area requirements are a special circumstance in that the principle structure as currently built does not meet yard requirements. For this reason, it is a special circumstance in which the existing building cannot reasonably be relocated on the subject property.
- **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.
 - **Lot area requirements in width and area** – A hardship is established in which the existing building cannot reasonably be relocated on the subject property.

- **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.
 - **Lot area requirements in width and area** – The variances requested to reduce the lot width and area requirements are circumstances relating to the property in that the principle structure as currently built does not meet yard requirements.

- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance 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 variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
 - **Lot area requirements in width and area** – This request is not resultant of applicant action as it has been existing on site for a number of years.

- **Preserve Rights Conferred By District:** A variance 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.
 - **Lot area requirements in width and area** – The variances requested to reduce the lot width and area requirements are a special circumstance in that the principle structure as currently built does not meet yard requirements. For this reason, it is a special circumstance in which the existing building cannot reasonably be relocated on the subject property.

- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.
 - **Lot area requirements in width and area** – Without the requested variances, the only way to attain compliance would be the relocation of the subject building to meet current C-4 standards. This would impede the reasonable use and enjoyment of the property.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.
 - **Lot area requirements in width and area** – The variance to reduce the lot area requirements in width and area will not impair any property values, environmental quality, or public safety as it will remain the same.
- **Consistent With Title And Plan:** The granting of a variance 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.
 - **Lot area requirements in width and area** – The requested variance is in harmony with the general development plan.
- **Minimum Variance Needed:** The variance 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.
 - **Lot area requirements in width and area** – The minimum variance providing relief from undue hardship has been requested.

Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Finding of Facts for the variance request to reduce the landscape frontage strip from 8 to 0 feet consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances 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.
 - **Reduce the landscape frontage strip from 8 to 0 feet –** This particular request is not a special circumstance in that the parking spaces in the front yard could be removed and landscaped in accordance with the Community Economic Development Strategy (CEDS) accepted by the Village Board.
- **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.
 - **Reduce the landscape frontage strip from 8 to 0 feet –** Reducing the landscape frontage strip will not create hardship for the operation of the site as ample parking for the specified use will still be available for the applicant.
- **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.

- **Reduce the landscape frontage strip from 8 to 0 feet –**
This particular request is not a circumstance relating to the property as the frontage strip can be constructed to meet the standards set forth.
- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance 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 variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
- **Reduce the landscape frontage strip from 8 to 0 feet –**
This request is not resultant of applicant action as it has been existing on site for a number of years.
- **Preserve Rights Conferred By District:** A variance 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.
- **Reduce the landscape frontage strip from 8 to 0 feet –**
This particular request does not confer special privilege.
- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.
- **Reduce the landscape frontage strip from 8 to 0 feet –**
This particular request is not necessary to derive reasonable enjoyment of the subject property.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.

- **Reduce the landscape frontage strip from 8 to 0 feet** – If this variance is granted, the site will remain as it currently is configured. It will not alter local character for this reason.
- **Consistent With Title And Plan:** The granting of a variance 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.
 - **Reduce the landscape frontage strip from 8 to 0 feet** – The requested variance is not in harmony with the general development plan. The CEDS calls for increased landscape along the York Road corridor. The granting of this variance will not meet the intent.
- **Minimum Variance Needed:** The variance 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.
 - **Reduce the landscape frontage strip from 8 to 0 feet** – The minimum variance has not been requested as the property

Commissioner Pisano seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the Finding of Facts for the variance request to reduce the parking setback in front yard from 40 to 0 feet consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances 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.

- **Reduce the parking setback in front yard from 40 to 0 feet** - This particular request is not as parking in the front yard is not necessary for the operation of the proposed use.
- **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.
 - **Reduce the parking setback in front yard from 40 to 0 feet** - Reducing the landscape frontage strip will not create hardship for the operation of the site as ample parking for the specified use will still be available for the applicant.
- **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.
 - **Reduce the parking setback in front yard from 40 to 0 feet** - This particular request is not a circumstance relating to the property as the parking setback can be constructed to meet the standards set forth.
- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance 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 variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
 - **Reduce the parking setback in front yard from 40 to 0 feet** - This request is not resultant of applicant action as it has been existing on site for a number of years.

- **Preserve Rights Conferred By District:** A variance 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.
 - **Reduce the parking setback in front yard from 40 to 0 feet** - This particular request does not confer special privilege.

- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.
 - **Reduce the parking setback in front yard from 40 to 0 feet** - This particular request is not necessary to derive reasonable enjoyment of the subject property.

- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.
 - **Reduce the parking setback in front yard from 40 to 0 feet** - If this variance is granted, the site will remain as it currently is configured. It will not alter local character for this reason.

- **Consistent With Title And Plan:** The granting of a variance 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.
 - **Reduce the parking setback in front yard from 40 to 0 feet** - The requested variance is not in harmony with the general development plan. The CEDS calls for increased landscape along the York Road corridor. The granting of this variance will not meet the intent.

- **Minimum Variance Needed:** The variance 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.
 - **Reduce the parking setback in front yard from 40 to 0 feet** - The minimum variance has not been requested.

Commissioner Weldon seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve the Finding of Facts for the variance request to reduce the standard parking stalls from 9 to 8.5 feet consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances 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.
 - **Reduce the standard parking stalls from 9 to 8.5 feet** – This request is unnecessary for the use of the property. The standard parking stalls can be striped at 9 feet per Village Code requirements without significant parking loss.
- **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.
 - **Reduce the standard parking stalls from 9 to 8.5 feet** – Reducing the standard parking stalls from 9 to 8.5 feet will not create hardship for the applicant.

- **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.
 - **Reduce the standard parking stalls from 9 to 8.5 feet -**
This particular request is not a circumstance relating to the property as the standard parking stalls can be constructed to meet the standards set forth.

- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance 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 variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
 - **Reduce the standard parking stalls from 9 to 8.5 feet –**
This request is not resultant of applicant action.

- **Preserve Rights Conferred By District:** A variance 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.
 - **Reduce the standard parking stalls from 9 to 8.5 feet –**
This request does confer a special privilege in the reduction of standard parking stalls. These standards are set forth due to typical motor vehicle widths and are not necessary to enjoy substantial property rights.

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

- **Reduce the standard parking stalls from 9 to 8.5 feet -**
This particular request is not necessary to derive reasonable enjoyment of the subject property.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.
 - **Reduce the standard parking stalls from 9 to 8.5 feet –**
If this variance is granted, it may potentially limit the functional safety in parking.
- **Consistent With Title And Plan:** The granting of a variance 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.
 - **Reduce the standard parking stalls from 9 to 8.5 feet –**
The requested variance is not in harmony with the Village's development plan.
- **Minimum Variance Needed:** The variance 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.
 - **Reduce the standard parking stalls from 9 to 8.5 feet -**
The minimum variance has not been requested as 9 feet stalls can be accommodated on site.

Commissioner Weldon seconded the motion.

ROLL CALL: Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the Finding of Facts for the variance request to reduce the loading space design standards from depth from 25 to 23 feet consisting of:

- **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances 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.
 - **Reduce the loading space design standards for depth from 25 to 23 feet** – No special circumstance exists for the reduction in loading space depth from 25 feet to 23 feet. The trash enclosure may be relocated or reduced in size to accommodate for the two feet.

- **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.
 - **Reduce the loading space design standards for depth from 25 to 23 feet** – Reducing the loading space design will be unnecessary for the operation of the site.

- **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.
 - **Reduce the loading space design standards for depth from 25 to 23 feet** - This particular request is not a circumstance relating to the property as the loading space design standards can be constructed to meet Village standards.

- **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance 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 variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act.
 - **Reduce the loading space design standards for depth from 25 to 23 feet** - This request is not resultant of applicant action.
- **Preserve Rights Conferred By District:** A variance 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.
 - **Reduce the loading space design standards for depth from 25 to 23 feet** - This request does confer a special privilege in the reduction of loading space stalls. These standards are set forth due to typical widths and are not necessary to enjoy substantial property rights.
- **Necessary For Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property.
 - **Reduce the loading space design standards for depth from 25 to 23 feet** - This particular request is not necessary to derive reasonable enjoyment of the subject property.
- **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity.
 - **Reduce the loading space design standards for depth from 25 to 23 feet** - If this variance is granted, it may potentially limit the functional safety in parking.

- **Consistent With Title And Plan:** The granting of a variance 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.
 - **Reduce the loading space design standards for depth from 25 to 23 feet** - The requested variance is not in harmony with the Village's development plan.
- **Minimum Variance Needed:** The variance 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.
 - **Reduce the loading space design standards for depth from 25 to 23 feet** - The minimum variance has not been requested as 25 foot width of the stalls can be accommodated on site.

Commissioner Pisano seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the Conditional Use Permit request with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Rowe seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Rowe made a motion to approve the variance request to reduce screening requirement with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Weldon seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Pisano made a motion to approve the variance request to allow outside storage in the required corner sideyard with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Rowe seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Pisano made a motion to approve the variance request to allow a fence in the corner sideyard with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Weldon seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Rowe made a motion to approve the variance request to reduce the required parking from 14 to 10 spaces with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Pisano seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the variance request to reduce the required turning radii with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Rowe seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the variance request to allow alternate parking lot configuration with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Rowe seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Weldon made a motion to approve the variance request to reduce the required lot size from 2 acres to 0.5 acres with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Rowe seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Rowe made a motion to approve the variance request to reduce the lot width requirement from 200' to 126' with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Rowe seconded the motion.

ROLL CALL:

Ayes: Moruzzi, Caira, Pisano, Rowe, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Rowe made a motion to approve the variance request to reduce the landscape strip from 8' to 0' with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Rowe seconded the motion.

ROLL CALL:

Ayes: None

Nays: Moruzzi, Caira, Pisano, Rowe, Weldon

All were in favor. Motion failed.

Motion:

Commissioner Rowe made a motion to approve the variance request to reduce the parking setback from 40' to 0' with Staff's recommendations consisting of:

- The Conditional Use Permit Amendment be granted solely to V. Seng Teaming and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of the sale or lease of this property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either; recommend that the Village Board approve of the transfer of the lease and / or ownership to the new proprietor without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor shall be required to petition for a

new public hearing before the CDC for a new Conditional Use Permit.

- The Conditional Use Permit shall cease July 1, 2021.
- The applicant work with staff to improve the streetscape along the York Road Corridor.
- The parking stalls in the front yard be removed and replaced with a landscaped area.
- The gate shall be constructed at 6' high and at the same height as the fence.
- The fence shall be constructed with a wood board on board or chain link fence with vinyl slats.
- The standard parking spaces be striped as 9'x18'.
- Dolly pads be installed for the parking of trailers.
- The trash enclosure be replaced and relocated to a location approved by staff.
- No sign variance will be requested or granted for the subject property.
- Curbing or wheel stops be placed along the western edge of the pavement for truck parking.

Commissioner Rowe seconded the motion.

ROLL CALL:

Ayes: None

Nays: Moruzzi, Caira, Pisano, Rowe, Weldon

All were in favor. Motion failed.

Report from Community Development

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

ADJOURNMENT:

There being no further business before the Community Development Commission, Commissioner Rowe made a motion to adjourn the meeting. Commissioner Pisano seconded the motion.

All were in favor

Motion carried.

The meeting was adjourned at 8:06 p.m.

Mike Moruzzi, Chairman
Community Development Commission