

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

MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

May 18, 2015

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, Janowiak, Pisano, Rowe, Tellez, Weldon
Absent: Rodriguez
A quorum was present.

STAFF PRESENT: V. Benham, M. Rysavy, S. Viger, C. Williamsen

JOURNAL OF PROCEEDINGS:

The minutes of the Community Development Commission Meeting of April 20, 2015 were presented.

Motion: Commissioner Rowe made a motion to approve the minutes as presented. Commissioner Janowiak seconded the motion.

All were in favor. Motion carried.

Public Hearing: CDC Case Number 2015-12
Petitioner: Juan Arellano
Location: 806 Grove Avenue
Request: Variance to Allow the Construction of a Fence in the Corner Side Yard

Motion: Commissioner Weldon made a motion to call CDC Case No. 2015-12. Commissioner Janowiak seconded the motion.

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

Chairman Moruzzi opened the Public Hearing at 6:33 p.m.

Chairman Moruzzi held a mass swearing in for those who planned to speak during the Public Hearing.

Village Planner, Victoria Benham, stated a legal notice was published in the Bensenville Independent on April 30, 2015 and that a certified copy of the legal notice is maintained in the CDC file and available for viewing. Mrs. Benham also stated that Village Staff posted a notice of the Public Hearing sign on the property on May 1, 2015. Mrs. Benham stated on May 1, 2015 Village Staff mailed first class notice of the Public Hearing to taxpayers of record within 250 feet of the property in question. Mrs. Benham The applicant, Juan Arellano is requesting a variance relative to the construction of a fence in the corner side yard at 806 Grove Avenue. Mrs. Benham stated the applicant moved to the approximately 1,200 sq.ft. single family home in 2013. Mrs. Benham stated the property in question is just under 15,000 sq.ft. in size, composed of two lots and is located on the southwest corner of Grove Avenue and Ellis Street within an RS-5 High Density Single Family Zoning District. Mrs. Benham stated under current Village Code the construction of a fence in the corner side yard requires a variance, which in this case is the eastern portion of the property along Ellis Street.

Mr. Juan Arellano and Mrs. Jaquelin Arellano were both present and previously sworn in by Chairman Moruzzi. Mrs. Arellano stated the main reason for the proposed fence was privacy for their family and children. Mrs. Arellano stated student from Fenton High School use their backyard as a short cut. Mrs. Arellano read the findings of facts into the record.

Commissioner Pisano asked what type of material would be used for the proposed fence. Mr. Arellano stated the fence would be constructed with 6x6 wood panels.

Public Comment:

Chairman Moruzzi asked if there was any member of the Public that would like to speak in regards to CDC Case No. 2015-12.

Esequiel Carrera – 161 South Ellis Street

Mr. Carrera was present and sworn in by Chairman Moruzzi. Mr. Carrera stated he was a neighbor to the Arellanos. Mr. Carrera stated he has no objections with the proposed fence.

Ms. Benham reviewed staff's report and indicated staff recommends approval of the requested variance with the following conditions:

1. The construction be in accordance with the plans submitted as part of the application with the modification of a 5 foot setback along Ellis Street.
2. The sump pump discharge shall be configured to prevent flooding of the public sidewalk.
3. The landscaped area along the fence shall be maintained to less than 2.5 feet in height.

Commissioner Weldon asked the applicants if they understood the conditions proposed by Staff. Mr. Arellano stated he understood the conditions and thanked Village Staff for coming out to the site to better explain.

Motion: Commissioner Rowe made a motion to close CDC Case No. 2015-12. Commissioner Weldon seconded the motion.

ROLL CALL: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Tellez, Weldon

Nays: None

All were in favor. Motion carried.

Chairman Moruzzi closed the public hearing at 6:45 p.m.

Motion: Commissioner Pisano made a motion to approve the findings of facts for the requested variance consisting of:

1. **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.

Special Circumstances exist that are peculiar to the property in that the layout of the properties on the block has the rear yard of the subject property abut the rear yards of properties to the south along Ellis Street and not the front yards as typically laid out.

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. *The literal application of the provisions of prohibiting a fence in the corner side yard would result in unnecessary and undue hardship based on the unique shape and layout of the subject property.*
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. *The special circumstances relate only to the physical character of the land due to the triangular layout of the property in question and the rear yard abutting neighboring rear yards.*
4. **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. *The special circumstances have not resulted from any act of the applicant.*
5. **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. *The Variance is necessary for the applicant to enjoy substantial property rights possessed by other properties and does not confer a special privilege.*

6. **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. *The grant of the Variance is necessary because without the requested Variance, the applicant will be deprived of reasonable use from their property in limiting their safety and use of the rear yard of their single family home.*
7. **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. *The granting of the Variance will not alter the essential character of the neighborhood as the fence constructed along Grove Avenue aligns with the Code. The proposed fence in the corner side yard will not impact neighboring property values or be detrimental to public safety.*
8. **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. *The granting of the Variance will be in harmony with the general purpose and intent of the Comprehensive Plan.*
9. **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. *The Variance requested is the minimum required to provide the applicant with relief from undue practical difficulties.*

Commissioner Weldon seconded the motion.

ROLL CALL: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Tellez, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Weldon made a motion to approve the requested variance with the following conditions:

1. The construction be in accordance with the plans submitted as part of the application with the modification of a 5 foot setback along Ellis Street.
2. The sump pump discharge shall be configured to prevent flooding of the public sidewalk.
3. The landscaped area along the fence shall be maintained to less than 2.5 feet in height.

Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Tellez, Weldon

Nays: None

All were in favor. Motion carried.

Public Meeting: [Homes for a Changing Region Draft Study Report](#)

Kendra Smith, Senior Planner from CMAP; Nancy Firfer, Senior Advisor- Metropolitan Planning Council (MPC); and King Harris, President-Harris Family Foundation & Senior Fellow-Metropolitan Planning Council (MPC) presented the Homes for a Changing Region Draft Study Report to the Commission. The presentation has been attached to the minutes as "Exhibit A".

Ms. Smith stated part of the process of reaching this point included CMAP to meet with Village Officials, MetroQuest site, Municipal recommendations, subregional recommendations, and a review of the draft plan. Ms. Smith reviewed the progress of Bensenville from the 2000 decennial census to the 2011 American Community Survey and reviewed a look at 2040 populations' projections. Ms. Smith stated while completing the Bensenville Study, it was determined that Bensenville has a high shortage of large lots for single family homes, small lots for single family homes and townhomes.

Commissioner Rowe left the meeting at 7:18 p.m.

Ms. Smith stated recommendations based off the study include Bensenville building higher density units at strategic locations in the Village. Ms. Smith stated a near term development in downtown Bensenville would be the northwest corning of Center Street and Main Street. Ms. Smith stated a long term development project would be Irving Park Road. Ms. Smith stated the Village also needs to accommodate senior growth over the next 30 years.

Ms. Smith stated the Village should consider drafting and passing a formal crime-free rental ordinance that would help increase the visibility of existing programs and administrative structures. Ms. Smith stated similar projects include South Suburbs, Metropolitan Mayors Caucus & Ancel Glink Law Firm. Ms. Smith stated the Village should also consider the creation of a community relations commission.

Chairman Moruzzi asked if CMAP had any suggestions and/or guidelines for starting a community relations commission. Ms. Firfer stated there are several other communities that have created such a commission; she would provide Staff with a list to distribute to the Commission.

Ms. Smith stated she looks forward to working with Staff on starting the next phase of the Study by working on the Village's Zoning Ordinance.

Mr. Harris stated the Village of Bensenville has great potential compared to other communities due to their proximity to O'Hare Airport, the construction at Irving Park Road and York Road, the Elgin/O'Hare Western Bypass project and the potential for annexation of property.

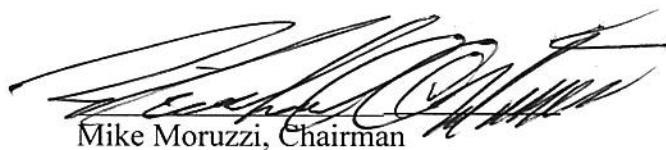
Report from Community Development

Mrs. Benham reviewed both recent CDC cases along with upcoming cases.

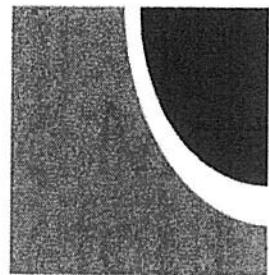
ADJOURNMENT:

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

All were in favor.
Motion carried.
The meeting was adjourned at 7:33 p.m.

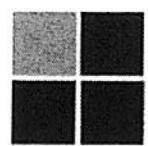


Mike Moruzzi, Chairman
Community Development Commission



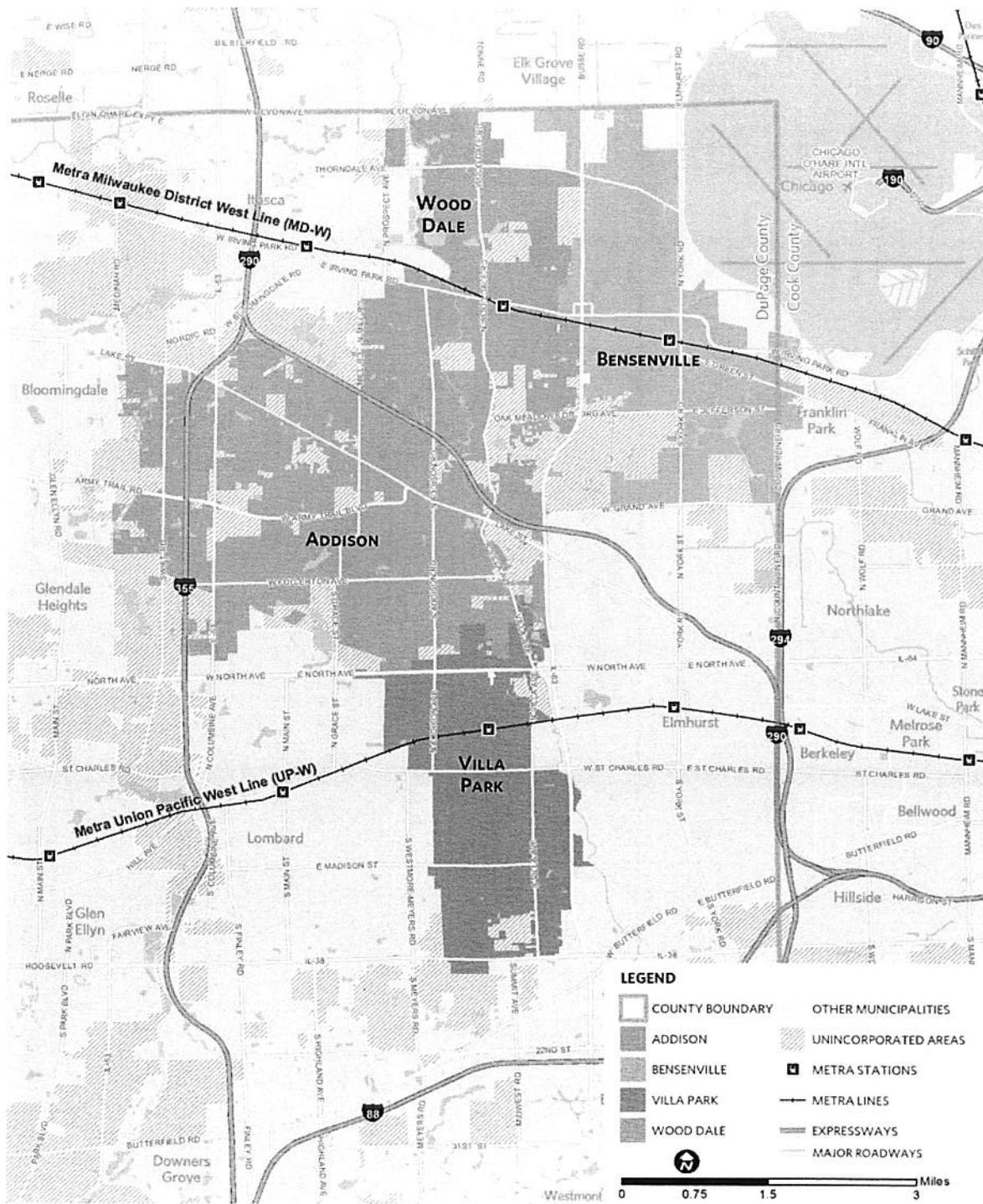
Chicago Metropolitan Agency for Planning

Metropolitan**Planning** Council

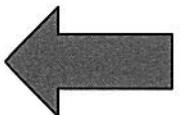
The logo for the Metropolitan Mayors Caucus (MMC) consists of a graphic element on the left made of four squares arranged in a 2x2 grid: the top-left square is light grey, while the other three are solid black. To the right of the graphic, the words "Metropolitan" and "Mayors" are written in a serif font, and "Caucus" is written in a stylized, italicized script font.

Northeast DuPage
Homes for a Changing Region
May 2014

Partner Communities



Process

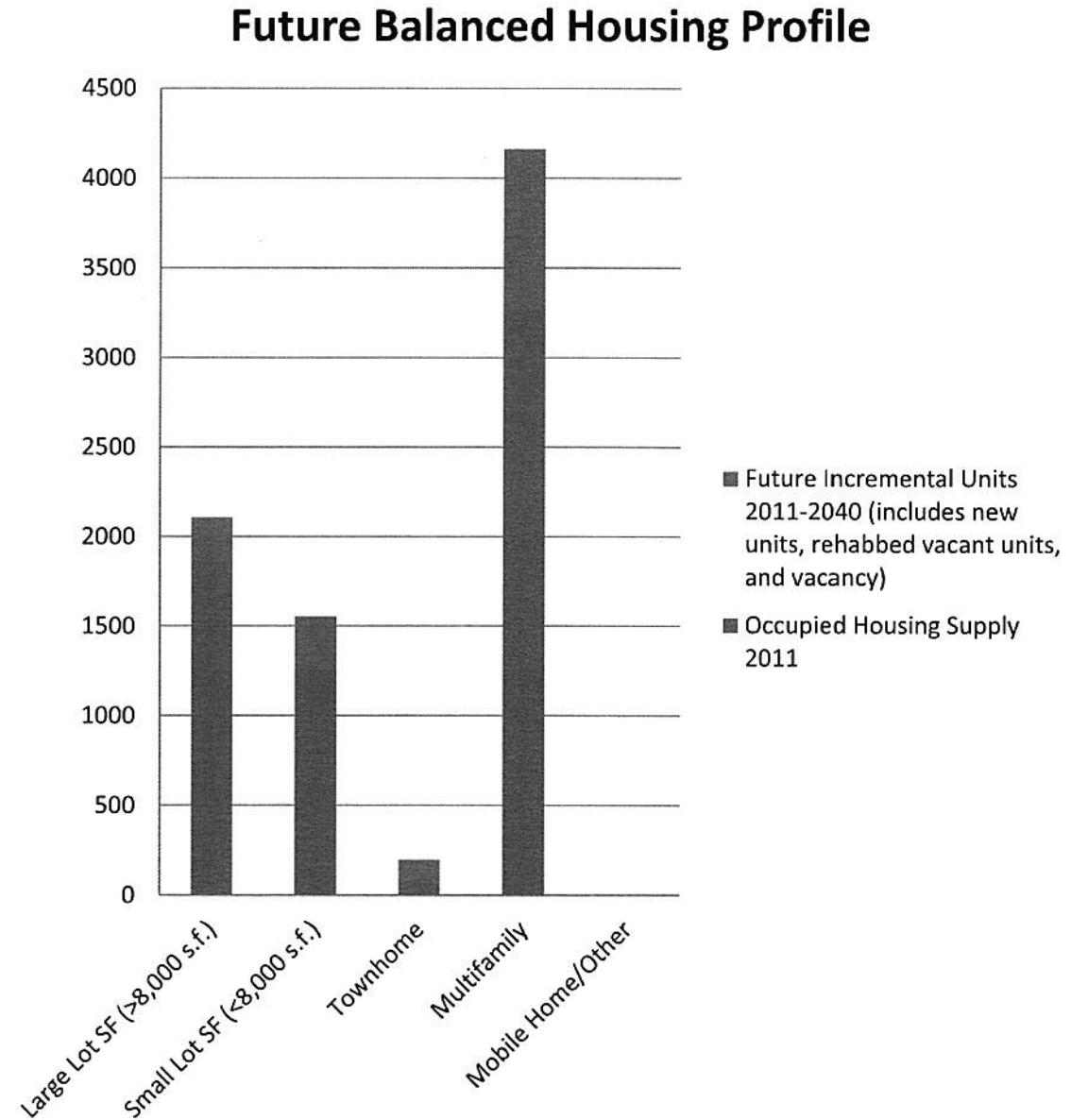
1. Meeting with Village officials ✓
2. MetroQuest site ✓
3. Municipal Recommendations ✓
4. Subregional Recommendations ✓
5. Review Draft Plan ✓
6. Completion of the Plan 

General Information

	Population	Households
2000 (Decennial Census)	20,703	6,885
2011 (American Community Survey)	18,537	6,460
Change as %, 2000-11	-10%	-6%
GO TO 2040 Population Projection, 2040	23,824	7,708
Change as %, Population 2011-40	29%	19%

Balanced Housing Profile

- Shortage of three housing types.
 - Large lot single family
 - Small lot single family
 - Townhomes
- Key question is if and how Bensenville should accommodate this potential growth.



Recommendations

- Redevelopment/Rehabilitation
 - Build higher density units at strategic locations in the Village
 - Near term development: Downtown
 - Mid & long term development: Irving Park Road
 - Zoning ordinance revision to allow for development
 - Accommodate senior (65+) growth over the next 30 years
 - Aging in place & new housing opportunities
 - Multigenerational Housing (home sharing)

Recommendations

- Consider drafting and passing a formal crime-free rental ordinance
 - Increase the visibility of existing program & administrative structure
 - Non home rule model project: South Suburbs, Metropolitan Mayors Caucus & Ancel Glink Law Firm
 - Allowable rental regulations and associated fees

Recommendations

- Foster openness
 - Ensure accessibility
 - Adopt a visibility ordinance
 - Ensure the Village evaluates whether proposed designs comply with the Fair Housing Act
 - Consider the creation of a community relations commission
 - Include a statement of welcome for peoples of all backgrounds in the Welcome Packet.
 - Provide web information on how to file housing discrimination complaints in the Welcome Packet