

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

## MINUTES OF THE COMMUNITY DEVELOPMENT COMMISSION

February 13, 2012

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

**ROLL CALL :** Upon roll call the following Commissioners were present: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon  
Absent: None  
A quorum was present.

### **JOURNAL OF PROCEEDINGS:**

The minutes of the Community Development Commission of January 9, 2012 were presented.

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

All were in favor. Motion carried.

#### **Continued**

#### **Public Hearing:**

CDC Case Number 2011-02

#### **Petitioner:**

K.B. Demarkis/Perk's Bar & Grill

#### **Location:**

801 N. Route 83

#### **Request:**

Conditional Use Permit to allow an Electronic Message Center Sign

The Public Hearing was opened at 6:33 p.m. Dino Demarkis, owner of Perk's Bar & Grill was present and sworn in by Chairman Moruzzi. Mr. Demarkis stated his intentions are to lower the existing free standing sign and install a new electronic message center sign. Mr. Demarkis stated he has reviewed the proposed ordinance up for approval by the Village Board on February 14, 2012.

Director of Community and Economic Development, Scott Viger, stated the notice for this public hearing was published in the Daily Herald on October 29, 2011. A certified copy of the public hearing notice will be kept in the case file. A copy of the public notice has been included in the Staff report.

Mr. Viger also stated signs were posted outside the property on October 28, 2011 and the required mailing of the notice was sent to the surrounding tax payers of record on October 29, 2011. Mr. Viger stated staff recommends approval with the following conditions:

- 1) The text amendment allowing EMC signs be approved by the Village President and Board of Trustees prior to the considerations of the application
- 2) The conditional use permit shall be for Perk's Bar & Grill only and is not transferable.
- 3) The sign shall adhere to all ordinance requirements for EMC signs.
- 4) The sign shall be constructed in substantial compliance with the plan submitted as a part of the CDC application 2011-02 prepared by I.D. Sign & Lighting, Inc. dated April 4, 2011.
- 5) No temporary banner sign permits shall be issued for the property after the EMC is erected.
- 6) The non-conforming roof sign on the western façade shall be reduced in size. The center portion may remain with the two "side panels" being changed to solid red to emulate the red roof. The existing signs on the north and south facades may remain.

Chairman Moruzzi opened the hearing to discussion.

Commissioner Pisano asked the petitioner why he is petitioning to exceed the Village's requirements for his proposed sign. Mr. Demarkis stated he is investing \$35,000 in the EMC sign and to meet Village requirements would cost much more and he is unable to afford it.

Commissioner Rowe asked if the sign will be lighted 24 hours. Mr. Demarkis stated the sign will only be on when the business is being operated.

Commissioner Janowiak stated he was ok with the height of the proposed sign. Commissioner Janowiak asked staff for clarification on requirement number six in regards to the existing signage on the front of the building. Commissioner Janowiak stated he did not see the reasons to require the petitioner to remove the sign. Mr. Viger stated the current sign is non-conforming and is not required to be removed under the provisions of the proposed EMC ordinance. The CDC recommended to the Village Board that these situations should be reviewed on an individual basis; it is staff's recommendation not to remove the noncompliant sign but simply to install monochromatic (red) plastic panels which would be an inexpensive compromise. Mr. Viger stated it is the Commissions digression to remove the recommendation if they wish too.

Commissioner Ventura stated he agreed with Commissioner Janowiak's concerns and asked Mr. Demarkis how much it would cost to remove the signs. Mr. Demarkis stated it would cost thousands and that he was unable to afford it. Commissioner Ventura stated he recommends leaving the existing signage as is. Commissioner Ventura also asked staff for clarification of what would happen if Perk's sold their company. Mr. Viger stated the new owner would have to come to the Village and request a conditional use for the sign. Mr. Demarkis stated he agreed with the recommendation from staff only if the operations of the business were to change. Mr. Demarkis stated he was being handcuffed by the Village if he wants to sell the property.

Commissioner Weldon had no initial questions.

Chairman Moruzzi asked if there was any member of the public that would like to give testimony.

Public Comment:

**Pete Gallagher – Bensenville Chamber of Commerce**

Mr. Gallagher was present and sworn in by Chairman Moruzzi. Mr. Gallagher stated he was representing the Bensenville Chamber of Commerce. Mr. Gallagher stated this application has been pending for over a year and a half and stated it was an unacceptable amount of time. He further stated that the Village has taken a considerable about of time on this particular text amendment. Mr. Gallagher stated staff should not have an impact on the Commissioner decision and that the Commission was appointed to represent the residents and business of Bensenville.

Mr. Gallagher stated he does not see why the other signs that already exist, and have existed for thirty-three years, have to change. Mr. Gallagher stated he did not agree with the provision of the conditional use only being granted to Perk's and not the property. Mr. Gallagher stated he agrees with the idea but only if the operations were to change once sold.

Mr. Gallagher stated he believes the Village has done a wonderful job in helping local businesses but believes there are too many provisions in place and stated it is making things difficult for applicants.

Chairman Moruzzi closed the public hearing at 7:09 p.m.

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

- 1) **Traffic:** Route 83 is an arterial running throughout the Village. While we all anticipate an increase in patrons at the restaurant, there should be no adverse effects on traffic.
- 2) **Environmental Nuisance:** The potential exists from for an EMC to provide glare to adjacent properties. Staff believes that should the EMC be approved and adhere to the conditions outlined in the draft text amendment for such EMC signs, any negative effects of such signs would be eliminated.
- 3) **Neighborhood Character:** The property in question is zoned I-2 Light Industrial along a major arterial. The restaurant had operated for a number of years and is in character with the area. The EMC sign would not alter the character.
- 4) **Use of Public Service and Facilities:** No significant increase in the utilization of the public system is anticipated.
- 5) **Public Necessity:** A restaurant has operated in this location for a number of years. The Village is encouraging a mix of office, service, retail and industrial uses in the Northern Business Park. The EMC is said to allow the existing restaurant to advertise specials etc. to increase their business sales which is a benefit to us all.
- 6) **Other Factors:** The restaurant's proposed EMC will be in harmony with the surrounding business and industrial users.

Commissioner Ventura seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve CDC case 2011-02 with conditions recommended by staff excluding recommendation number six (seeking the change in the plastic panels of the sign on the western façade). Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

**Continued  
Public Hearing:**  
**Petitioner:**  
**Location:**  
**Request:**

CDC Case Number 2011-21  
Tom's Mobile Truck Repair  
211 Beeline Drive, Unit 11  
Conditional Use Permit to allow motor vehicle repair (major & minor).

The Public Hearing was opened at 7:20 p.m. Anthony Oddo, property owner and Arthur Ziarek, owner of Tom's Mobile Truck Repair were present and sworn in by Chairman Moruzzi. Mr. Oddo spoke on behalf of Mr. Ziarek and stated the two were in front of the Commissioners from the continued hearing held on January 9, 2012.

Director of Community and Economic Development, Scott Viger, stated the notice for this public hearing was published in the Daily Herald on December 22, 2011. A certified copy of the public hearing notice will be kept in the case file. A copy of the public notice has been included in the Staff report. Mr. Viger also stated signs were posted outside the property on December 22, 2011 and the required mailing of the notice was sent to the surrounding tax payers of record on December 22, 2011. Mr. Viger stated staff had several issues with the current operation that may need to be addressed. They included a triple basin for the floor drains, ventilation for cars running inside the building, etc.

Mr. Viger stated the applicants submitted their findings of fact and that they appear to meet the requirements for conditional use. Mr. Viger stated Village Staff has met with Tom's Truck Repair and are confident the issues will be resolved. Staff recommends approval with the following conditions:

- 1) The Conditional Use is for Tom's Mobile Truck Repair only and is not transferable.
- 2) There shall be no work performed on vehicles out of doors, all work to be conducted within the fully enclosed building.
- 3) The owner and applicant shall work with the Village Staff to create a functioning property owner/business association to ensure the maintenance, upkeep and harmony of the property and businesses.
- 4) There shall be no outdoor trash corral. All trash to be kept inside the building.
- 5) There shall be no outdoor storage.
- 6) The property owner and applicant shall work with the Village in garnering support for the establishment of a mechanism that provides unified control of the overall property to ensure the proper property maintenance and zoning compliance for the 2011 Beeline Complex.

Chairman Moruzzi opened the hearing to discussion.

There were no questions from the Commissioners.

Chairman Moruzzi asked if there was any member of the Public that would like to give testimony. There was none.

Chairman Moruzzi asked if the petitioner would be willing to display a sign in the back of the building encouraging a customer to contact the Village if they feel the property is not being maintained.

Mr. Oddo stated he had no issues with the sign but asked how the cost of the sign would be funded. Village Staff was directed to work with Mr. Oddo in regards to displaying the sign and cost.

Chairman Moruzzi closed the public hearing at 7:31 p.m.

Motion: Commissioner Rowe made a motion to approve the findings of facts for CDC Case 2011-21 consisting of:

- 1) **Traffic:** As many of the repairs will be offsite there should not be a significant increase in traffic. Beeline Drive is scheduled to be improved when the Special Service Area 9 work is performed.
- 2) **Environmental Nuisance:** The business plan calls for many repairs to be performed offsite, other repairs will be performed indoors. There should not be environmental nuisance uncharacteristic of other I-2 uses.
- 3) **Neighborhood Character:** The property in question is zoned I-2 Light Industrial. The proposed uses should be in harmony with the businesses in the area.
- 4) **Use of Public Service and Facilities:** No significant increase in the utilization of the public system is anticipated.
- 5) **Public Necessity:** Staff believes that there is sufficient market demand for the proposed service.
- 6) **Other Factors:** Tom's Mobile Truck Repair will be in harmony with the surrounding business and industrial uses.

Commissioner Weldon seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Janowiak made a motion to approve CDC case 2011-21 with conditions recommended by staff including the installation of a complaint sign. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2011-22  
**Petitioner:** Sackett Systems  
**Location:** 1033 Bryn Mawr Avenue  
**Request:** Variances to Reduce the side yard setback and height of an accessory structure and to reduce the minimum driving aisle width in an existing I-2 Light Industrial District

The Public Hearing was opened at 7:34 p.m. Dan Dwyer, Vice President of Sackett Systems was present and sworn in by Chairman Moruzzi. Mr. Dwyer stated Sackett Systems in front of the Commission for variances and a setback that will allow the company to build a mechanized parking structure. The structure will allow for more parking on the property and will also serve as a demonstration to a potential business deal for Sackett Systems. Mr. Dwyer stated the company is requesting a reduced aisle width to 20  $\frac{3}{4}$  feet from the required 24 feet.

Director of Community and Economic Development, Scott Viger, stated the notice for this public hearing was published in the Daily Herald on December 22, 2011. A certified copy of the public hearing notice will be kept in the case file. A copy of the public notice has been included in the Staff report. Mr. Viger also stated signs were posted outside the property on December 23, 2011 and the required mailing of the notice was sent to the surrounding tax payers of record on December 23, 2011. Mr. Viger stated staff recommends approval with the following conditions:

- 1) The mechanized parking structure be wrapped in a aesthetically pleasing skin. The aesthetics of the wrap to be reviewed and approved by staff.
- 2) The property be developed in substantial compliance with the site and schematic building plans submitted with this application for relief.

Chairman Moruzzi opened the hearing to discussion.

Commissioner Pisano asked the petitioner how rain and melting snow will affect the flooding in the area due to the new structure. Mr. Dwyer stated there currently isn't flooding taking place and the parking lot currently does not have a sewer. Mr. Dwyer stated he does not believe flooding will become an issue.

Commissioner Weldon suggested to Commission to require a rigid skin to be the material used on the structure to match the already existing building. Mr. Dwyer stated he had no concerns with the request.

No other Commissioners had any initial questions.

Chairman Moruzzi asked if there were any members of the Public that would like to give testimony. There were none.

Chairman Moruzzi closed the public hearing at 7:44 p.m.

Motion: Commissioner Rowe made a motion to approve the findings of facts for CDC Case 2011-22 consisting of:

- 1) **Special Circumstance:** The applicant has several special circumstances; the need for additional employee parking for an expanding local business on a narrow property, the business necessity to provide a working model of their product that is unfamiliar to many potential customers.
- 2) **Hardship or Practical Difficulties:** The property does not present a suitable location other than towards the front of the site. The building sits on the rear back line.
- 3) **Circumstances Relate to Property:** The variance request is a function of the 1970s era subdivisions, original building placement on the site and the necessary size and height of the “mechanized parking structure”.
- 4) **Not Resulting From Applicant Action:** The special circumstances and practical hardship are not a direct result of actions of the applicant.
- 5) **Preserve Rights Conferred by District:** Approval of the relief sought by the applicant would not confer any special privilege to the property that is ordinarily denied other properties in the I-2 Light Industrial District.
- 6) **Necessary for Use of Property:** The addition of the “mechanized parking structure” will increase the available parking on site and assist in retaining a visible manufacturing business and its employees in the North Business Park.
- 7) **Not Alter Local Character.** Approval of the relief sought will not alter the essential character of the business and industrial neighborhood.
- 8) **Consistent with Title and Plan:** Granting of requested variance will be in harmony with the general purpose and intent of the Village of Bensenville’s plans.
- 9) **Minimum Variance Needed:** The staff has worked with the applicant for some time and believes that variances sought are the minimum required.

Commissioner Ventura seconded the motion.

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Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Ventura made a motion to approve CDC Case 2011-22 with staff conditions and the structure be wrapped in a rigid skin. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2011-19  
**Petitioner:** Slavko Dimitrijevic  
**Location:** 17 Gateway Drive  
**Request:** Conditional Use Permit to allow Motor Vehicle Repair (Major & Minor) in a C-4 Regional Destination PUD Commercial District.

The Public Hearing was opened at 7:47 p.m. Slavko Dimitrijevic was present and sworn in by Chairman Moruzzi. Mr. Dimitrijevic stated his company has been in business for four years and is located in the City of Chicago. The reason he is moving to Bensenville is due to high taxes in Chicago. Mr. Dimitrijevic is requesting a conditional use and if approved, will commit to moving his business to Bensenville. Mr. Dimitrijevic is aware of the issues with the building and will be working with staff to resolve them.

Director of Community and Economic Development, Scott Viger, stated the notice for this public hearing was published in the Daily Herald on January 28, 2012. A certified copy of the public hearing notice will be kept in the case file. A copy of the public notice has been included in the Staff report. Mr. Viger also stated signs were posted outside the property on January 27, 2012 and the required mailing of the notice was sent to the surrounding tax payers of record on January 27, 2012.

Mr. Viger stated there were several issues with the building and the issues were outlined in the staff report. Mr. Viger stated staff recommends approval with the following conditions:

- 1) The Conditional Use if for Slavko Dimitrijevic and is not transferable.
- 2) There shall be no work performed on vehicles out of doors, all work to be conducted within the fully enclosed building.
- 3) The property shall be developed and utilized in substantial conformance to the plans submitted as part of this application prepared by International Group Design dated 12/3/2011.
- 4) There shall be no outdoor trash correl. All trash to be kept inside the building.
- 5) There shall be no outdoor storage.
- 6) The northern property line shall be cleared and site shall be stripped for one way circulation and parking.
- 7) The use shall cease on July 01, 2021.

Chairman Moruzzi opened the hearing to discussion.

There were no initial questions from the Commissioners.

Chairman Moruzzi asked if there was any member of the Public that would like to give testimony. There was none.

Chairman Moruzzi closed the public hearing at 7:53 p.m.

Motion: Commissioner Ventura made a motion to approve the findings of facts consisting of:

- 1) **Traffic:** The proposed use will not create an adverse impact of types of volumes of traffic flow not otherwise typical per permitted uses in the zoning district as been minimized.
- 2) **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.

- 3) **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.
- 4) **Use of Public Service and Facilities:** No significant increase in the utilization of the public system is anticipated.
- 5) **Public Necessity:** Staff believes that there is sufficient market demand for the proposed service.
- 6) **Other Factors:** Motor vehicle repair performed entirely indoors will be in harmony within the surrounding business and industrial uses.

Commissioner Weldon seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Rowe made a motion to approve CDC case 2011-19 with conditions recommended by staff. Commissioner Weldon seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Motion:

Commissioner Rowe made a motion to recess the meeting. Commissioner Weldon seconded the motion.

All were in favor. Motion carried.

Chairman Moruzzi recessed the meeting at 7:55 p.m.

Chairman Moruzzi called the meeting back to order at 8:00 p.m.

**Public Hearing:** CDC Case Number 2012-01  
**Petitioner:** Gem Construction Company  
**Request:** Text Amendment to allow Outdoor Storage as a principle use in the C-4 Regional Destination PUD Commercial District.

The Public Hearing was opened at 8:01 p.m. Vince Raimondi, owner of Gem Construction Company and Marshall J. Subach, Attorney for Gem Construction Company were both present and sworn in by Chairman Moruzzi. Mr. Subach passed out photos of the property and are attached to the minutes as Exhibit A. Mr. Subach stated the property, 113 Brookwood Street, was purchased by Gem Construction in 1990. At the time of purchase, the property was zoned as a Single Family in an I-2 District. In 1992, the Village advised Gem Construction Company they were allowed to use the property as outdoor storage and needed to fix all violations within the home. The Village granted permission to Mr. Raimondi to demolish the home and use the property for outdoor storage.

In 2004, the Village rezoned the property to C-4. The Village then filed suit against Gem Construction Company to remove the tenant from the property due to non-conforming conditions. Mr. Subach stated the two reached a settlement agreement in 2007 that would require his client to vacate the property by November 2008. Mr. Subach stated Gem Construction Company looked for a new location in other towns but were unsuccessful Mr. Subach stated his client remained at the property on Brookwood to remain in business and currently has seventeen employees. Two to three employees are Bensenville Residents. Mr. Subach stated he would like to see the text amendment approved and is in favor with the Village's vision of a hotel or major business in the area but feels his client should be allowed to remain in the area until something comes. Mr. Subach stated his initial request was just for the property of his client but he was advised it could not happen so he filed the petition for the whole C-4 District. Mr. Subach stated his client is willing to amend his request to his property only. Mr. Subach stated he is seeking direction from the Commission.

Director of Community and Economic Development, Scott Viger, stated the notice for this public hearing was published in the Daily Herald on January 28, 2012. Mr. Viger stated the request is to permit outdoor storage as a principle use by right in the C-4 District and outdoor storage is currently not allowed anywhere in the Village. It is allowed in the I-4 District as a conditional use only. Staff does not recommend approval of the request.

Mr. Subach stated the Commissioners have to review the issued at hand with their perspective and not staff's Mr. Subach stated he was seeking direction from the Commission and not staff.

Chairman Moruzzi opened the hearing to discussion.

Commissioner Pisano stated he sees why the Village made the changes to the area by changing it to C-4 in 2004. Mr. Subach stated he agrees with the change and vision but does not see anything happening for years. Mr. Subach stated he does not see any harm in allowing his client to remain at the property. Commissioner Weldon stated he believes the Village should accommodate Gem Construction Company until something comes and offers to buy the property for a bigger establishment. Commissioner Weldon suggested a possible extension to the settlement agreement reached in 2007. Mr. Viger stated the settlement agreement has not been followed and the Village is taking the necessary actions to resolve the issue. Mr. Viger stated that Village has been fair to Gem Construction Company. The Village filed suit on 2002 and the settlement document was signed in 2007. The agreement allowed Gem Construction Company until November 2008, it is now been four years since the agreed upon contractual dead line for compliance and ten years since the filing of the lawsuit.

Commissioner Ventura stated he does not believe the Village's vision is to have outdoor storage along York Road and asked Village Staff for alternatives to the situation.

Chairman Moruzzi asked if there was any member of the Public that would like to give testimony. There was none.

Chairman Moruzzi closed the public hearing at 8:47 p.m.

Motion: Chairman Moruzzi made a motion to continue this case until March 12, 2012. Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

**Public Hearing:** CDC Case Number 2012-02  
**Petitioner:** Continental Express Lines, Inc. and A&T Company  
**Location:** 123 Sivert Court  
**Request:** Conditional Use Permit to allow Outdoor Storage as a principle use in the C-4 Regional Destination PUD Commercial District.

The Public Hearing was opened at 8:54 p.m. Steve Santowski, owner of Continental Express Lines, Inc. and Arista Thurman, owner of A&T Company, were both present and sworn in by Chairman Moruzzi. Mr. Santowski stated he sold his building in Wood Dale and moved to Bensenville. Mr. Santowski stated the building they are renting is planned to be demolished to make room for the Elgin O'Hare/Western Bypass Road. Mr. Santowski stated he was warned by his landlord, the property could be purchased from the State in 104 weeks. Mr. Santowski stated the request for outdoor storage was for trucks and not equipment.

Director of Community and Economic Development, Scott Viger, stated the notice for this public hearing was published in the Daily Herald on January 28, 2012. A certified copy of the public hearing notice will be kept in the case file. A copy of the public notice has been included in the Staff report. Mr. Viger also stated signs were posted outside the property on January 27, 2012 and the required mailing of the notice was sent to the surrounding tax payers of record on January 27, 2012. Mr. Viger stated staff recommends approval with the following conditions:

- 1) The Conditional Use is for Continental Express Lines, Inc. and A&A Company and is not transferable.
- 2) The property shall be developed and utilized in substantial conformance to the plans submitted as part of the application.
- 3) The use shall cease on 7/01/2021.

Chairman Moruzzi opened the hearing to discussion.

Commissioner Pisano asked if the petitioner was willing to cease the use by 7/01/2016 rather than 7/01/2021. Commissioner Pisano stated if for some reason there is a holdup in the construction of the Elgin O'Hare/Western Bypass, this will protect the Village from another company seeking the property for the same use. Mr. Santowski stated he had no issues with the recommendation.

Commissioner Rowe asked how many trucks would be stored overnight on the property. Mr. Thurman stated no more than twenty.

Commissioner Weldon stated he agrees with Commissioner Pisano's recommendation.

Chairman Moruzzi asked if there was any member of the Public that would like to give testimony. There were none.

Chairman Moruzzi closed the public hearing at 9:04 p.m.

Motion:

Commissioner Pisano made a motion to approve the findings of facts for CDC Case 2012-02 consisting of:

- 1) **Special Circumstance:** The proposed location of the outdoor storage is behind the 50,000 sqft. building and is only visible from Sivert Court.
- 2) **Hardship or Practical Difficulties:** The property is slated for acquisition to make way for the Elgin O'Hare Western Bypass interstate construction.
- 3) **Circumstances Relate to Property:** The variance request is a function of the site characteristics relevant to the property.
- 4) **Not Resulting From Applicant Action:** The special circumstances and practical hardship are not a direct result of actions of the applicant.
- 5) **Preserve Rights Conferred by District:** Approval of the relief sought by the applicant's would not confer any special privilege to this property that is ordinarily denied other properties in the C-4 Regional Destination PUD Commercial District.
- 6) **Necessary for Use of Property:** The variance will allow for reasonable use of the property.
- 7) **Not Alter Local Character.** Approval of the relief sought will not alter the essential character of the business and industrial neighborhood.

- 8) **Consistent with Title and Plan:** Granting of requested variance will be in harmony with the general purpose and intent of the Village of Bensenville's plans.
- 9) **Minimum Variance Needed:** The staff has worked with the applicant for some time and believes that variance sought is the minimum required.

Commissioner Rowe seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Pisano made a motion to approve CDC case #2012-02 with staff recommendations and amending recommendation three from 7/01/2021 to 7/01/2016. Commissioner Ventura seconded the motion.

Roll Call: Ayes: Moruzzi, Janowiak, Pisano, Rowe, Ventura, Weldon

Nays: None

All were in favor. Motion carried.

### **Report from Community Development**

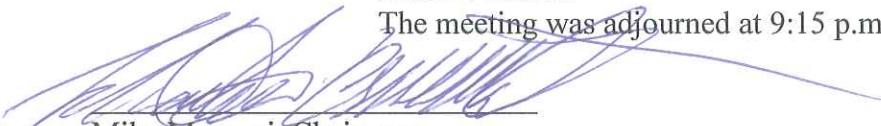
Mr. Viger reviewed both recent Village Board actions and prior CDC cases along with upcoming cases.

### **ADJOURNMENT:**

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

All were in favor  
Motion carried.

The meeting was adjourned at 9:15 p.m.



Mike Moruzzi, Chairman  
Community Development Commission





