



12 South Center Street  
Bensenville, IL 60106

Office: 630.350.3404  
Fax: 630.350.3438  
[www.bensenville.il.us](http://www.bensenville.il.us)

#### VILLAGE BOARD

##### Board of Trustees

Rosa Carmona  
Frank DeSimone  
Annie Jaworski  
David Majeski  
Martin O'Connell  
Henry Wesseler

##### Village Clerk

Isa Rivera-Trujillo

##### Village Manager

Evan K. Summers

February 14, 2017

Ms. Whitney Gaspar  
24636 West Renwick Road  
Plainfield, Illinois 60544

Re: February 8, 2017 FOIA Request

Dear Ms. Gaspar:

I am pleased to help you with your February 8, 2017 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on February 8, 2017. You requested copies of the items indicated below:

*"For the property located at: 1121 and 1123 North Ellis (same PIN number): we are requesting any and all records pertaining to building, demolitions records, underground storage tanks, environmental issues and fees, fines or violations for a Phase I environmental site assessment."*

After a search of Village files, the following documents are enclosed to fulfill your request:

- 1) Office of the Illinois State Fire Marshall Application for Removal of underground Storage Tanks. (2 pgs.)
- 2) Village of Bensenville Inspection No. 22437. (3 pgs.)
- 3) Village of Bensenville Inspection No. 4755. (2 pgs.)
- 4) Village of Bensenville Ordinance No. 50-2006. (10 pgs.)


These are all of the documents that can be discovered responsive to your request.

Section 7(1)(b) of FOIA provided that "private information" is exempt from disclosure. "Private information" is defined in FOIA as, "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5ILCS 140/2(c-5). Consequently, certain unique identifiers have been redacted from the records being provided.

Pursuant to Section 9 of the FOIA, 5 ILCS 140/9, I am required to advise you that I, the undersigned Freedom of Information Officer, reviewed and made the foregoing determination to deny a portion of your FOIA Request as indicated. Should you believe that this Response constitutes an improper denial of your request, you may appeal such by filing a request for review within sixty (60) days of the date of this letter with the Public Access Counselor of the Illinois Attorney General's Office, Public Access Bureau, 500 South Second Street, Springfield, Illinois 62706; telephone 1-887-299-FOIA; e-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us). You may also have a right of judicial review of the denial under Section 11 of FOIA, 5 ILCS 140/11.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,

  
Corey Williamsen  
Freedom of Information Officer  
Village of Bensenville



OFFICE OF THE ILLINOIS STATE FIRE MARSHAL  
Division of Petroleum and Chemical Safety  
1035 Stevenson Drive  
Springfield, Illinois 62703-4259  
(217)785-1020 or (217)785-5878

SEP 15 1998

FOR OFFICE USE ONLY

Facility # 2009589  
Permit # 4375-98 REM

APPLICATION for Permit for REMOVAL of Underground Storage Tanks. (Please type or print clearly)

(1) **OWNER OF TANKS** - Corporation, partnership, or other business entity: (Must be mailing address)

ALLIED BUILDING PRODUCTS CORPORATION  
Name  
1121 NORTH ELLIS STREET  
Street Address  
BENSENVILLE ILLINOIS 60106  
City State Zip  
[Redacted] [Redacted] [Redacted]  
Contact Person Phone

(2) **FACILITY** - Facility ID # 200-9589  
(Name and address where tanks are located:)

ALLIED BUILDING PRODUCTS CORPORATION  
Name  
1121 NORTH ELLIS STREET  
Street Address  
BENSENVILLE ILLINOIS 60106 DUPAGE  
City State Zip County  
[Redacted] [Redacted] [Redacted] [Redacted]  
Contact Person Phone

(3) **TANK(S)**: Fill in the appropriate blanks for the tank(s) to be removed. Attach additional sheet(s) if more space is needed.

# of Tanks	Capacity in gallons	Product to be stored	Date tank last used	# of Tanks	Capacity in gallons	Product to be stored	Date tank last used
<u>TK 1</u>	<u>10,000</u>	<u>GAS</u>	<u>IN USE</u>				
<u>TK 1 D</u>	<u>10,000</u>	<u>DIESEL</u>	<u>IN USE</u>				

(4) **CONTAMINATED SITE** (complete this section for sites where a release has been reported). Reminder: Releases or suspected releases must be reported to IEMA at (800)782-7860 within 24 hours:

IEMA Incident # \_\_\_\_\_

(5) **CONTRACTOR**: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that all information submitted is true, accurate and complete.

UNITED ENVIRONMENTAL CONSULTANTS INC  
Company Name

119 EAST PALATINE ROAD SUITE 101  
Address

PALATINE ILLINOIS 60067  
City State Zip

(847) 359-8700 (847) 359-8755  
Telephone # Fax #

741 3/6/99  
IL Contractor License # Expiration Date

GEORGE A. MONCEK PRESIDENT  
Name of Authorized Representative Title or Position

[Signature] 9/11/98  
Signature Date

FOR OFFICE USE ONLY

BENSENVILLE FIRE DEPT.  
Bensenville, IL

After receiving an approved permit, the Contractor the permit was issued to or an employee of that contractor (this does not include a subcontractor) shall establish a date certain to perform the UST activity by contacting the Office of the State Fire Marshal, Division of Petroleum and Chemical Safety, by telephone at the Springfield office at (217)785-1020 or (217)785-5878 between 8:30 a.m. and 12:00 p.m., at which time a mutually agreed upon date and time for the UST activity shall be scheduled. THIS PERMIT IS VALID FOR SIX MONTHS FROM THE APPROVAL DATE.

Permission to remove underground storage tank(s) is hereby granted. Such removal shall not commence until 10-15-98.

A seventy-two hour (3 working day) notice to this office is required to confirm final date of removal for our Inspector to be on site.

10-1-98 W. Dale Tanke  
Approval Date Approved

4-1-99  
Permit Expires

(Complete the back side)

(6) REASON FOR REMOVAL:

NO LONGER NEEDED

(7) NOTICE PRIOR TO REMOVAL - A 30 day written notice to the Office of the State Fire Marshal is required prior to removal. The notice begins on the date a properly completed Application and fee are received by this Office.

In the event of a reported release, the Office of the State Fire Marshal shall waive the 30 day notice requirement. (Incident number must be entered in It #6 above).

(8) APPLICATION REJECTION - Insufficient information or illegibility can be cause for return or denial.

(9) PERMIT TO WORK - No work can proceed without a granted permit in hand and must be available upon request of the Storage Tank Safety Specialist.

(10) CODE COMPLIANCE - All work shall be performed per 41 Ill. Adm. Code 170 and shall otherwise be in compliance with any referenced codes and standards.

(11) APPLICANT - The *RESPONSIBLE CONTRACTOR* must complete this application. A fee of \$100.00 for each site must accompany this application. (Checks or money orders are to be made payable to the Office of the State Fire Marshal. Do not send cash).

The Office of the State Fire Marshal is requesting information that is necessary to accomplish the statutory purpose as outlined in 430 ILCS 15/2. Disclosure of this information is required. Failure to provide any information will result in this form not being processed. (Rev - 3/96)

cc: Storage Tank Safety Specialist  
Fire Department  
Office Associate  
Facility File

*Stern*  
*JS*



**VILLAGE OF BENSENVILLE**  
**INSPECTIONAL SERVICES**  
 12 South Center  
 Bensenville, IL 60106  
 630-350-3413 fax:630-350-3449

Type of Inspection: ANNUAL INSPECTION

**CORRECTION NOTICE**

Address: 1121 ELLIS Unit:

Business name:: VYM CORPORATION

Phone:

Business Owner:

Address: 1121 N ELLIS STR BENSENVILLE, IL

Inspection Date: 7/10/13

Inspector: TOM KNIGHT

<u>Checklist #</u>	<u>Violation</u>	<u>Violation comment</u>
005A	ALLOWABLE USES	Sleeping quarters is not approved for use of building. Remove bed and bedding from sleeping quarters(upstairs) and discontinue practice.
020F	REMOVE ALL OUTDOOR STORAGE	Outside storage is not approved. Remove all storage/debris/trash/garbage/rubbish.
020H	IMPROPER OUTSIDE STORAGE	Storage in trailers is not approved. Remove trailers at dock doors being used for storage. Discontinue illegal storage practice.
030E	PARKING LOT NEEDS SEAL COATING	Parking lot requires seal coating. Apply sealcoat and establish annual maintenance schedule.
030F	PARKING LOT NEEDS STRIPPING	Following sealcoating, re-stripe parking spaces.
030F	PARKING BLOCKS REQUIRED	Provide vehicle barrier (parking blocks OK) between lot and building.
030G	NEED TO INSTALL HANDICAP SPACE	Provide handicap parking per Illinois accessibility code.
030H	ILLEGAL PARKING	Vehicles may only park in designated parking stalls. Remove excessive vehicles in parking lot and discontinue illegal parking practice.
030J	GARBAGE CORRAL NEEDED	Dumpsters must be enclosed in garbage corral. Provide enclosure for garbage dumpsters.
060B	WRONG LOCKING DEVICE	Throw latch devices are not approved. Remove throw latch locking devices from all EXIT doors IMMEDIATELY.
090A	CLEAN AND SANITIZE AREA	Entire workshop/repair shop area requires cleaning. Remove oily residue from surfaces. Remove trash/debris. Properly dispose of substances. Establish proper storage area for spare/unused parts.
090D	REPAIR HOLES IN WALL/CEILING	Repair holes in drywall throughout the building.
090E	REPAIR HOLES IN WALL/CEILING	Replace all broken/missing/stained ceiling tiles.
100B	MEANS OF EGRESS BLOCKED	Remove trash/debris/storage from EXIT access (east warehouse) IMMEDIATELY. Maintain clear EXITS at all times.
120	INTERIOR ELECTRIC	Repair low voltage wires (second floor) Permit required. Apply for permit at Village Hall.
120G	BREAKER LOCKS	Provide breaker locks to circuits that serve the fire alarm, emergency lights and EXIT lights.
120I	REMOVE ALL EXTENSION CORDS	Extension cords are not approved (office and shop). Remove and discontinue use.
130E	ILLEGAL AIR LINES	Plastic compressed air lines are not permitted. Remove plastic air lines. Provide correct air lines of all metal construction.
130M	SPRINKLER STANDPIPE	Provide brass cap for sprinkler standpipe (shop area).
150	VENTILATION	Provide correct ventilation for trucks to exhaust fumes to exterior from repair shop.
160C	EXIT LIGHTS	Repair/replace EXIT lights. 2-hour battery back-up required.
160D	EMERGENCY LIGHTS	Repair/replace emergency lights. 2-hour battery back-up required.



**VILLAGE OF BENSENVILLE**  
**INSPECTIONAL SERVICES**  
 12 South Center  
 Bensenville, IL 60106  
 630-350-3413 fax:630-350-3449

Type of Inspection: ANNUAL INSPECTION

**CORRECTION NOTICE**

Address: 1121 ELLIS

Unit:

Business name::

Phone:

Business Owner:

Address: 1121 N ELLIS STR BENSENVILLE, IL

Inspection Date: 7/10/13

Inspector: TOM KNIGHT

160E	EMERGENCY LIGHTS
160G	OBSTRUCTED EXIT
160H	EMERGENCY LIGHTS
160J	IMPROPER STORAGE
160K	EXTINGUISHERS NOT MOUNTED
160M	EXTINGUISHERS INACCESSIBLE
160N	FLAMMABLES SHOULD BE REMOVED
160O	IMPROPER BATTERY STORAGE
160P	FLAMMABLES IMPROPERLY STORED
160Q	IMPROPER OIL DISPOSAL/STORAGE
160R	IMPROPER STORAGE
160S	IMPROPER STORAGE
165K	F.A.C.P. NEEDED ON DOOR
175A	MEANS OF EGRESS BLOCKED
180D	FIRE ALARM SYSTEM - ANNUALLY
180F	SPRINKLER SYSTEM - ANNUALLY
180J	BUSINESS LICENSE - ANNUALLY

Test all emergency lights out of reach of the Inspector.  
 Repair/replace as needed. 2-hour battery back-up required.  
 Remove lock from EXIT door (downstairs office area).  
 Repair emergency light (upstairs kitchen).  
 Plastic gas cans are not approved. Provide metal, self-closing safety cans to store flammable liquids.  
 Fire extinguishers must be mounted to the wall. Mount no higher than 42" above the finished floor.  
 Remove storage/debris from around extinguishers. Maintain clear access at all times.  
 Remove flammable/combustible trash/debris from shop. Maintain clean disposal practice.  
 Batteries must be stored in a designated area away from other combustibles. Properly dispose/recycle used batteries.  
 Oily rags must be stored in a metal, self-closing container. Provide approved storage for oily rags.  
 Used oil must be stored in an approved container. Provide appropriate oil storage container in a designated area.  
 Storage under stairs is not approved. Remove storage/debris from under stairs (1st floor office).  
 Storage under stairs is not approved. Remove storage/debris from under stairs (shop area).  
 Identify interior door to fire alarm location with FACP. Use 6" letters of a contrasting color.  
 EXIT stairs discharge blocked. Remove storage/debris IMMEDIATELY and maintain clearance at all times.  
 Fire alarm requires annual testing/inspection. Provide current test results and post at the system.  
 Sprinkler system requires annual testing/inspection. Provide current test results and post at the system.  
 Provide copy of current Business License.

**Additional Remarks/Comments:**

Created from inspection 22301 on  
 06/05/2013 by 6523tkni

Reinspection 23113 created on 07/10/2013  
 by 6523tkni



**VILLAGE OF BENSENVILLE**  
**INSPECTIONAL SERVICES**  
 12 South Center  
 Bensenville, IL 60106  
 630-350-3413 fax:630-350-3449

Type of Inspection: ANNUAL INSPECTION

**CORRECTION NOTICE**

Address: 1121 ELLIS

Unit:

Business name:: VYM CORPORATION

Phone: [REDACTED]

Business Owner: [REDACTED]

Address: 1121 N ELLIS STR BENSENVILLE, IL

Inspection Date: 7/10/13

Inspector: TOM KNIGHT

**THOSE ITEMS LISTED ABOVE ARE VIOLATIONS OF BENSENVILLE'S ADOPTED VILLAGE CODE AND/OR PROPERTY MAINTENANCE CODE. THIS IS YOUR WRITTEN "CORRECTION NOTICE". FAILURE TO CORRECT THE ABOVE LISTED VIOLATIONS WITHIN THE PRESCRIBED TIME CAN RESULT IN A FINE OF UP TO \$750 PER VIOLATION, PER DAY.**

You are hereby notified to remedy the conditions as stated above within 14 days from the date of this order. Appeal from this order may be made within 20 days from the above date of service. Direct such appeal for a hearing before the Bensenville Board of Appeals in writing through the Director of Inspectional Services, 12 South Center.

Neither this inspection nor any Certificate of Occupancy issued by the Village of Bensenville shall be considered a complete list of Code or Municipal Ordinances. Our inspection can be substantially limited by access available and stored items or furniture. Some occupancies may require inspections to be completed on individual systems such as heating appliances, roofing, structure or fire protection systems. If you have questions about this inspection, please call 630-350-3448.

**DISCLAIMER: The Village of Bensenville does not warrant the condition of any property inspected and disclaims all liability for any claims arising out of the property or condition thereof.**

Copy of this report received by/mailed to: \_\_\_\_\_

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_





Inspection Number: 4755

**VILLAGE OF BENSENVILLE  
INSPECTIONAL SERVICES**

12 South Center  
Bensenville, IL 60106  
phone: 630-350-3413 fax: 630-350-3449

Type of Inspection: BUSINESS LICENSE INSPECTION

**CORRECTION NOTICE**

Address: 1123 ELLIS

Unit:

Business name: MAP TRANSPORTATION

Phone: [REDACTED]

Business Owner: [REDACTED]

Address: 1123 N ELLIS STR BENSENVILLE, IL

Inspection Date & Time: 4/11/11

Inspector: ANTHONY BAGNOLA

*George = Drew Enterprises*

Checklist #	Violation	Violation comment
030F	PARKING LOT NEEDS STRIPPING	
030G	NEED TO INSTALL HANDICAP SPACE	NEED TO INSTALL PROPER STRIPING FOR HANDICAP SPACES
030P	FIRE LANE NEEDS STRIPING	IN FRONT OF SPRINKLER CONNECTION
030Q	FIRE LANES NEEDS SIGNAGE	IN FRONT OF SPRINKLER CONNECTION
050N	SPRINKLER CONNECTION BLOCKED	NEED TO STRIPE OUT AREA IN FRONT OF SPRINKLER CONNECTION, AND SIGNAGE TO SAY "NO PARKING FIRE LANE"
060	EXTERIOR DOOR	REPAIR DOCK MANDOOR #5 DOES NOT CLOSE PROPERLY
160Z	OTHER	NO STORAGE ALLOWED IN SPRINKLER/RISER ROOM
160Z	OTHER	LOCK NEEDS TO BE TURNED AROUND IN SPRINKLER ROOM
180B	EXTINGUISHERS - ANNUALLY	NO ACCESS BY TENANT ALLOWED
180F	SPRINKLER SYSTEM - ANNUALLY	OVERDUE FOR INSPECTIONS AND SOME FOR HYDROSTATIC TEST
180G	BACK FLOW DEVICE - ANNUALLY	OVERDUE FOR INSPECTION
		OVERDUE FOR INSPECTIONS

**Additional Remarks/Comments:**

787

Reinspection 4811 created on 04/11/2011 by 6523abag

[2011-04-11 12:01:40 6523abag]:  
RECOMMEND PROVISIONAL BUSINESS  
LICENSE UNTIL VIOLATIONS ARE  
COMPLIED WITH.

THOSE ITEMS LISTED ABOVE ARE VIOLATIONS OF BENSENVILLE'S ADOPTED VILLAGE CODE AND/OR PROPERTY MAINTENANCE CODE. THIS IS YOUR WRITTEN "CORRECTION NOTICE". FAILURE TO CORRECT THE ABOVE LISTED VIOLATIONS WITHIN THE PRESCRIBED TIME MAY RESULT IN A FINE OF UP TO \$750 PER VIOLATION, PER DAY.



Inspection Number: 4755

**VILLAGE OF BENSENVILLE**  
**INSPECTIONAL SERVICES**  
12 South Center  
Bensenville, IL 60106  
phone:630-350-3413 fax:630-350-3449

Type of Inspection: BUSINESS LICENSE INSPECTION

**CORRECTION NOTICE**

Address: 1123 ELLIS Unit:

Business name:: MAP TRANSPORTATION

Phone: [REDACTED]

Business Owner: [REDACTED]

Address: 1123 N ELLIS STR BENSENVILLE, IL

Inspection Date & Time: 4/11/11

Inspector: ANTHONY BAGNOLA

You are hereby notified to remedy the conditions as stated above within 30 days from the date of this order. Appeal from this order may be made within 20 days from the above date of service. Direct such appeal for a hearing before the Bensenville Board of Appeals in writing through the Director of Inspectional Services, 12 South Center.

Neither this inspection nor any Certificate of Occupancy issued by the Village of Bensenville shall be considered a complete list of Code or Municipal Ordinances. Our inspection can be substantially limited by access available and stored items or furniture. Some occupancies may require inspections to be completed on individual systems such as heating appliances, roofing, structure or fire protection systems. If you have questions about this inspection, please call 630-350-3413.

**DISCLAIMER: The Village of Bensenville does not warrant the condition of any property inspected and disclaims all liability for any claims arising out of the property or condition thereof.**

Copy of this report received by/mailed to:

*Thomas A. Stief*

Inspector:

*Anthony J. Bagnola*

Date:

*4-11-11*



VILLAGE OF BENSENVILLE  
12 SOUTH CENTER STREET  
BENSENVILLE, ILLINOIS 60106

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ORDINANCE NO. 50-2006

1121 N. ELLIS STREET, BENSENVILLE  
CONDITIONAL USE - PLANNED UNIT DEVELOPMENT  
(PRELIMINARY/FINAL)  
(CDC CASE NO. 121205-1)

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ADOPTED BY THE  
VILLAGE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF BENSENVILLE  
THIS 21<sup>ST</sup> DAY OF AUGUST, 2006

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Published in pamphlet form by authority of the President and Board of Trustees  
of the Village of Bensenville, DuPage and Cook Counties, Illinois this 22<sup>ND</sup> day of  
August, 2006.



## VILLAGE OF BENSENVILLE

12 S. CENTER STREET  
BENSENVILLE, ILLINOIS 60106  
(630) 766-8200 Fax (630) 350-3449

STATE OF ILLINOIS )  
 ) ss  
COUNTIES OF COOK )  
AND DUPAGE )

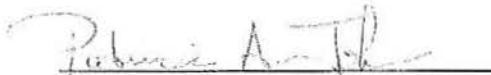
### CERTIFICATE

I, Patricia A. Johnson, certify that I am the duly qualified Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois.

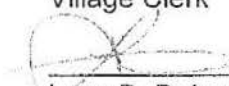
I further certify that on August 21, 2006, the Corporate Authorities of such municipality passed and approved Ordinance No. 50-2006, entitled **1121 N. Ellis Street, Bensenville, Conditional Use - Planned Unit Development (Preliminary/Final) (CDC Case No. 121205-01)**, which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 50-2006, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the Village Hall, commencing on August 22, 2006, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

Dated at Bensenville, Illinois, this 22<sup>nd</sup> day of August, 2006.

  
Patricia A. Johnson  
Village Clerk

By:

  
Lynn D. Dubman  
Deputy Village Clerk

SEAL

**ORDINANCE NO. 50-2006**

**1121 N. ELLIS STREET, BENSENVILLE  
CONDITIONAL USE - PLANNED UNIT DEVELOPMENT  
(PRELIMINARY/FINAL)  
(CDC CASE NO. 121205-01)**

WHEREAS, the subject property is located at 1121 N. Ellis Street, Bensenville, Illinois (the "Property"), and is zoned I-2, Light Industrial.

WHEREAS, the Petitioner, Drew Enterprise LLC, has applied for the approval of a Planned Unit Development ("PUD") to allow for the operation of two primary businesses on one zoning lot, with 19-percent of the 4.9-acre site to be reserved for truck storage.

WHEREAS, the 4.9-acre site lies on the east side of N. Ellis Street and approximately 2,000 feet south of Devon Street in the I-2, Light Industrial Zoning District. Industrial uses surround the site with the properties directly north and south having expansive truck courts. The Addison Township Assessor identifies the Property with the Parcel Identification Number of 03-02-200-008. The Property contains a 3,870-square foot, two-story office building attached to a 13,230-square foot, one-story building with five loading bays along its southern facade, and a 25,900-square foot, one-story building occupying the middle portion of the property. The Property also has 87,829 square feet (2.1-acres) of paved surfaces consisting of both asphalt and concrete surrounding the buildings and 59,500 square feet of gravel surfaces predominately covering the eastern portion of the site.

WHEREAS the Property includes approximately 4.9 acres and, therefore, is in compliance with the minimum one acre size requirement generally applicable to a PUD.

WHEREAS the Property, as developed herein, contains two (2) principal use buildings.

WHEREAS the Property is under the same ownership or control.

WHEREAS the PUD is generally consistent with the objectives of the Village general development plan, which recommends Light Industrial activities for the site and the adjacent properties. The I-2 District is intended to provide locations for industrial and related uses that produce moderately greater adverse environmental effects than uses allowed in the I-1 District. It is intended for areas where such uses presently exist or where heavier industrial uses allowed in the I-3 and I-4 Districts would be incompatible. Office/administrative uses and warehousing, distribution, and storage (indoors only) are permitted in the I-2 District, and the outdoor storage of vehicles, equipment, and materials as an accessory use is limited to no more than 25-percent of the lot area through Conditional Use approval. Moving & storage company activity is comparable to warehousing, distribution, and storage activities – permitted I-2 uses.

WHEREAS the PUD will not be detrimental to the public health, safety or general welfare since there has been an industrial use with associated truck traffic operating on the site since 1976 without being a community nuisance.

WHEREAS the PUD will not be injurious to the use and enjoyment of other properties in its vicinity, will not seriously impair property values or environmental quality in the neighborhood, and will not impede the orderly development of surrounding property. A limited amount of truck storage on the site should not increase the presence of adverse environmental effects beyond the acceptance level normally associated with similar I-2 District uses. *However, truck repair is not an environmentally benign activity due to the potential spillage of fuel, oil and coolant onto the ground and the release of brake dust into the air.* The petitioner has noted on several occasions that the trucks do not transport dangerous materials or hazardous wastes.

WHEREAS the design of the PUD is as consistent as practical with preservation of any natural features such as flood plains, wooded areas, natural drainageways or other areas of sensitive or valuable environmental character, if any. A waterway flowing through a wooded channel bisects the eastern edge of the site, with most of the property appearing to lie in the Flood Zone AE as illustrated on the March 1993 FEMA Flood Hazard Boundary Map. The Petitioner has received approval from the Dupage County Stormwater Management authorities by letter dated May 3, 2006 to pave the eastern portion of the site for truck storage on the condition that the Petitioner remove the unconsolidated materials to the underlying asphalt and install new pavement to the elevation of the original asphalt.

WHEREAS the operation of a moving & storage business (comparable to a warehousing and distribution facility) with its associated truck traffic should not be out of character with the area since there is already significant truck traffic on N. Ellis St. servicing industrial tenants. The Petitioner has been operating on the Property since the fall of 2004.

WHEREAS the Fire Department has sufficient three-sided access to the two buildings. The site plan shows various segments of screening fence, principally along the north and south lot lines. The fencing satisfies Section #10-12-2(D)(1) that requires the screening of outdoor storage from the public right-of-way and from adjoining properties in the I-2 District.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: That the subject property (the "Property") is legally described as follows:

SEE LEGAL DESCRIPTION(S), COMMON STREET ADDRESSES  
AND P.I.N.'S ATTACHED HERETO

SECTION TWO: That the foregoing recitals are hereby incorporated by reference and reaffirmed as if fully recited and reaffirmed herein.

SECTION THREE: That a Conditional Use for Planned Unit Development (moving and storage facility, with 19-percent of the 4.9-acre site to be reserved for outdoor truck storage) is hereby approved for the Property, subject to those conditions as contained herein. Further, that the Planned Unit Development Plat (Preliminary and Final) dated May 18, 2006 for the Property, attached hereto as Exhibit A and made a part hereof, is hereby approved, and the Village President is authorized to execute and the Village Clerk to attest the same, all subject to the following conditions, which conditions shall be included as part of the PUD Plat to be recorded and shall be binding upon the Petitioner(s), their heirs, successors and assigns, and shall run with the land:

1. No building permit or certificate of occupancy shall be issued for any structure within the PUD unless (a) the application therefor conforms to the final PUD plan approved herein, or (2) the application conforms to the otherwise applicable zoning, subdivision and sign regulations, if any, and is also consistent with the approved final PUD plan, or (3) an amendment to the approved final PUD plan conforming to the application is approved pursuant to applicable provisions of the Village of Bensenville Zoning Ordinance.

2. The developer shall obtain and comply with all required permit approvals for the subject development.

3. The Site Plan dated May 31, 2006, attached hereto as Exhibit B and made a part hereof, is hereby approved for this development and shall be developed as so approved.

4. The Landscape Plan dated November 14, 2005, attached hereto as Exhibit C and made a part hereof, is hereby approved for this development and shall be developed as so approved.

5. The Exterior Elevations dated November 15, 2005, attached hereto as Exhibit D and made a part hereof, are hereby approved for this development and shall be developed as so approved.

6. There shall be no truck repair or other motor vehicle repair activity of any kind or type on the Property.


7. The Petitioner shall complete the Village Engineer review process for drainage and/or stormwater management requirements and the accommodation of public utilities where applicable.

8. There shall be no additions, subtractions, deviations, amendments, substitutions or any other change(s) to any of the approved plans and specifications approved herein without the prior written consent/approval of the Village corporate authorities.

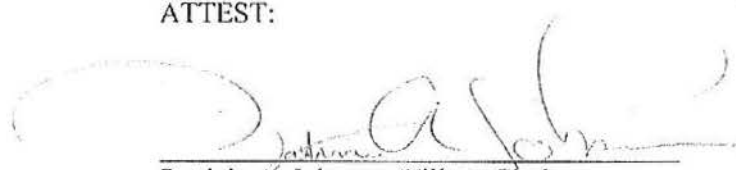
SECTION FOUR: All ordinances in conflict herewith are repealed to the extent of said conflict.

This Ordinance is in full force and effect from and after passage and publication according to law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 21st day of August, 2006.

  
\_\_\_\_\_  
John C. Geils, Village President

ATTEST:

  
\_\_\_\_\_  
Patricia A. Johnson, Village Clerk

AYES: Adamowski, Basso, Mandziara, Tralewski, Walberg, Williams

NAYS: None

ABSTAIN: None

ABSENT: None

Published in Pamphlet Form



**EXHIBIT A**

**APPROVED PLANNED UNIT DEVELOPMENT PLAT**

**EXHIBITS #B, C, & D**

APPROVED ELEVATIONS AND PLANS

**EXHIBIT #E**

LEGAL DESCRIPTION(S), COMMON STREET ADDRESSES AND P.I.N.'S

**EXHIBIT #E**

LEGAL DESCRIPTION(S), COMMON STREET ADDRESSES AND P.I.N.'S

LOT 13 IN DEVON FIVE ACRE FARMS, BEING A SUBDIVISION OF THE WEST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 AND PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 SECTION 2, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 10, 1947 AS DOCUMENT 522698 AND CERTIFICATE OF CORRECTION FILED AUGUST 13, 1947 AS DOCUMENT 526985, IN DUPAGE COUNTY, ILLINOIS.

1121 N. ELLIS  
BENSENVILLE, ILLINOIS 60106

03-02-200-008