



BENSENVILLE
PUBLIC ACCESS & OFFICE

12 South Center Street
Bensenville, IL 60106

Office 630.350.3404
Fax 630.350.3438
www.bensenville.il.us

VILLAGE BOARD

July 3, 2018

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Ms. Venesa DeJesus-Corral
238 Rose Street
Bensenville, Illinois 60106

Re: June 28, 2018 FOIA Request

Dear Ms. DeJesus-Corral:

I am pleased to help you with your June 28, 2018 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on July 2, 2018. You requested copies of the items indicated below:

"I would like to obtain any copies of license/permit for dwelling or rental property on property address 121 E. Pine Ave., Bensenville, IL 60106 from 2016 to present. Also any copies of ordinance violations on this property and any documentation on how many people are allowed to dwell on this property address."

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

- 1) Village of Bensenville Certificate of Occupancy No. 34267. (1 pg.)
- 2) Village of Bensenville Correction Notice for Inspection No. 33360. (1 pg.)
- 3) Village of Bensenville Correction Notice for Inspection No. 47325. (1 pg.)
- 4) Village of Bensenville Correction Notice for Inspection No. 47326. (1 pg.)
- 5) Village of Bensenville Correction Notice for Inspection No. 59483. (2 pgs.)
- 6) Village of Bensenville Ordinance No. 40-2014 entitled *"An Ordinance of the Village of Bensenville, Illinois Amending Title 9, Chapter 2 and Addison Section 10 :Bedroom Occupancy Restrictions"*. (5 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. 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

VILLAGE OF BENSENVILLE
COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
12 SOUTH CENTER STREET BESENVILLE, ILLINOIS 60106

DWELLING INSPECTION PROGRAM

CERTIFICATE OF OCCUPANCY

CERTIFICATE NUMBER: 34267

EXPIRATION DATE:

12-31-16

This certifies that the building at 121 EAST PINE AVENUE was inspected under the authority of Dwelling Inspection Program (Title 9, Chapter 12 of the Bensenville Village Code) and found to conform to the requirements of the Dwelling Inspection Ordinance and Zoning Ordinance of the Village of Bensenville.

The dwelling unit may be occupied by no more than 2 persons per bedroom for sleeping purposes. No sleeping is allowed in the basement of any dwelling.

**BENSENVILLE
COMMUNITY & ECONOMIC
DEVELOPMENT**

04/03/2015

DIRECTOR OF COMMUNITY

AND ECONOMIC DEVELOPMENT

DATE ISSUED



VILLAGE OF BENSENVILLE
INSPECTATIONAL SERVICES

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

Type of Inspection: SINGLE FAMILY DWELLING

CORRECTION NOTICE

Address: 121 PINE

Unit:

Business name::

Phone: [REDACTED]

Business Owner: Mike Chatbashev

Address: [REDACTED]

Inspection Date: 3/6/15

Inspector: TOM KNIGHT

Checklist # Violation

Violation comment

040E DETERIORATION OF MATERIALS

Repair/replace steps to front porch.

090B MOLD OR MILDEW

Clean bathroom area free of mold/mildew.

Additional Remarks/Comments:

Reinspection 34267 created on 03/06/2015
by 6523tkni

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 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 630-350-3448.

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: _____



**VILLAGE OF BENSENVILLE
INSPECTIONAL SERVICES**

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

Type of Inspection: CORRECTION NOTICE

CORRECTION NOTICE

Address: 121 PINE Unit:

Business name: CHATALBASHEV, MIKE

Phone: [REDACTED]

Business Owner: CHATALBASHEV, MIKE

Address: [REDACTED]

Inspection Date: 09-29-16

Inspector: RON HERFF

Checklist # Violation
020N DEAD OR DYING TREE

Violation comment

There is a dead tree on the west side the property that needs to be taken down. The branches are already falling down and the bark is falling off the tree.

Additional Remarks/Comments:

Tree must be removed with-in 60 days.

Reinspection 47326 created on 11/03/2016
by 6523rher

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 60 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.

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Copy of this report received by/mailed to: _____

Inspector: _____ Date: _____



**VILLAGE OF BENSENVILLE
INSPECTIONAL SERVICES**

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

Type of Inspection: CORRECTION NOTICE

CORRECTION NOTICE

Address: 121 PINE Unit:

Business name: CHATALBASHEV, MIKE

Phone: [REDACTED]

Business Owner: CHATALBASHEV, MIKE

Address: [REDACTED]

Inspection Date: 03-17-17

Inspector: RON HERFF

Checklist # Violation
020N DEAD OR DYING TREE

Violation comment
There is a dead tree on the west side the property that needs to be taken down. The branches are already falling down and the bark is falling off the tree.

020N DEAD OR DYING TREE

03-17-17-
Now that a large branch has fallen down, damaged the roof and put a large hole in the roof the tree must come down.
Tree must be down by 04-01-17

Additional Remarks/Comments:

Created from inspection 47325 on
11/03/2016 by 6523rher

TREE MUST COME DOWN BY 04-01-17

Reinspection 49829 created on 03/17/2017
by 6523rher

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 15 days.

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: _____



**VILLAGE OF BENSENVILLE
INSPECTIONAL SERVICES**

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

Inspection Number: 59483

Type of Inspection: SINGLE FAMILY DWELLING

CORRECTION NOTICE

Address: 121 PINE Unit:

Business name: CHATALBASHEV, MIKE

Phone: [REDACTED]

Business Owner: CHATALBASHEV, MIKE

Address: [REDACTED]

Inspection Date: 05-14-18

Inspector: RON HERFF

<u>Checklist #</u>	<u>Violation</u>	<u>Violation comment</u>
0006	MEANS OF EGRESS BLOCKED- EXTERIOR	Front door to the home is blocked by furniture, clothing all must be moved ASAP.
0018	IMPROPER GAS SUPPLY LINE	Must change the gas pipe for gas dryer to newer yellow or Stainless Steel type supply line.
0019	IMPROPER DRYER VENT.	Dryer vent pipe is too long must be reduced in length. 8 feet maximum
0023	SMOKE DETECTORS NEEDED	Smoke detector by front door and basement do not operate. Change battery or replace the unit.
050H	SCRAPE AND REPAINT SURFACE	Front porch needs to be painted.
050Z	OTHER	Front steps need to be repainted or replaced.
090D	REPAIR HOLES IN WALL / CEILING	Ceiling and walls in the kitchen need to be repaired and repainted.
150D	BATHROOM NEEDS EXHAUST FAN	Fan in bathroom does not operate

Additional Remarks/Comments:

Reinspection 59486 created on 05/14/2018
by 6523rher

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 30 days.

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.



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

Type of Inspection: **SINGLE FAMILY DWELLING**

CORRECTION NOTICE

Address: 121 PINE Unit:

Business name: CHATALBASHEV, MIKE

Phone: [REDACTED]

Business Owner: CHATALBASHEV, MIKE

Address: [REDACTED]

Inspection Date: 05-14-18

Inspector: RON HERFF

Copy of this report received by/mailed to: _____

Inspector: _____

Date: _____

**VILLAGE OF BENSENVILLE
12 S. CENTER STREET
BENSENVILLE, ILLINOIS 60106**

Ordinance No. 40-2014

**An Ordinance of the Village of Bensenville, Illinois Amending Title 9, Chapter 2 and
Adding Section 10 “Bedroom Occupancy Restriction”**

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 26th DAY OF AUGUST, 2014**

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois this 27th day of August 2014

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

I, Corey Williamsen, do hereby certify that I am the duly appointed Deputy Village Clerk of the Village of Bensenville, DuPage and Cook Counties, Illinois, and as such officer, I am the keeper of the records and files of said Village; I do further certify that the foregoing constitutes a full, true and correct copy of Ordinance No. 40-2014 entitled an ordinance of the Village of Bensenville, Illinois amending Title 9, Chapter 2 and adding Section 10 "Bedroom Occupancy Restriction".

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this 27th day of August, 2014.




Corey Williamsen
Deputy Village Clerk

ORDINANCE NO. 40-2014

**AN ORDINANCE OF THE VILLAGE OF BENSENVILLE, ILLINOIS
AMENDING TITLE 9, CHAPTER 2 AND ADDING SECTION 10 "BEDROOM
OCCUPANCY RESTRICTION"**

WHEREAS, the Village of Bensenville (hereinafter the "Village") is a duly organized and existing Illinois municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the Village of Bensenville has the power and authority to regulate the building and construction of buildings and structures within the corporate limits of the Village, pursuant to the Illinois Municipal Code, 65 ILCS 5/11-13-1; and

WHEREAS, in furtherance of said power and authority to regulate and inspect the building and construction of buildings and structures, the Village may impose restrictions on the occupancy levels of single family homes and apartments; and

WHEREAS, the Village is concerned with ensuring the safety of the residents of the Village in the event of a fire to a resident's home; and

WHEREAS, the Village is concerned that overoccupancy of a single family home and apartment creates a safety and fire risk in that home; and

WHEREAS, overoccupancy in a room may impede the safe and orderly evacuation of a single family home and apartment in the case of a fire or other emergency; and

WHEREAS, the Village President and the Village Board of the Village of Bensenville hereby find and determine that it is in the best interests of the health, safety and welfare of its residents to enact Section 9-2-10 which regulates the maximum amount of occupants allowed to sleep in a bedroom based on the floor space of the bedroom; and

WHEREAS, the Village President and the Village Board hereby amend the Village Code to reflect the Board's occupancy requirement.

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

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: That the Village Code is hereby amended to include the new section, Section 9-2-10, which is to be entitled "BEDROOM OCCUPANCY RESTRICTION", and shall provide:

9-2-10: BEDROOM OCCUPANCY RESTRICTION:

Any "habitable room" of a "single-family dwelling", "single-family attached dwelling", "townhouse dwelling" or "two family dwelling", as defined by 9-15-1 of this Title, used or intended to be used for the purpose of sleeping shall be:

- 1) not less than 70 square feet per a single occupant; and
- 2) not less than 100 square feet per dual occupants; and
- 3) not less than 150 square feet per triple occupants.

Exception: It shall be at the discretion of the Inspector to allow an additional occupant within a bedroom, up to three occupants maximum, assuming the area of said space is within 10% of the square footage required for that number of occupants as set forth above.

SECTION THREE: That all Ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION FOUR: That this Ordinance shall be in full force and effect from and after its adoption, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the
Village of Bensenville, this 26th day of August, 2014.

APPROVED:

Frank Soto, Village President

ATTEST:


Ilsa Rivera-Trujillo, Village Clerk

AYES: BARTLETT, JANOWIAK, JARECKI, O'CONNELL, WESSELER

NAYES: NONE

ABSENT: RIDDER

F:\PKB\Bensenville\ordinances\textamendment\Occupancy\Ordinance Amending Occupancy Requirement.4.10.13.doc