



12 South Center Street
Bensenville, IL 60106

Office: 630.350.3404
Fax: 630.350.3438
www.bensenville.il.us

VILLAGE BOARD

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Frank DeSimone

Board of Trustees
Rosa Carmona
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Nicholas Panicola Jr.
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Village Clerk
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Village Manager
Evan K. Summers

July 23, 2019

Ms. Stephanie Ferguson
361 Corporate Terrace
Corona, California 92879

Re: May 3, 2019 FOIA Request

Dear Ms. Ferguson:

I am pleased to help you with your May 3, 2019 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on July 23, 2019. You requested copies of the items indicated below:

"Please see request below."


After a search of Village files, the following information was found responsive to your request:

- 1) Village of Bensenville Zoning Information for 24 South Addison Street as of July 23, 2019. (1 pg.)
- 2) Village of Bensenville Ordinance No. 18-2007. (3 pgs.)
- 3) Village of Bensenville Ordinance No. 40-2007. (3 pgs.)
- 4) Village of Bensenville Ordinance No. 68-2009. (3 pgs.)
- 5) Village of Bensenville Ordinance No. 4-2013. (2 pgs.)
- 6) Village of Bensenville Ordinance No. 89-2013. (3 pgs.)
- 7) Village of Bensenville Correction Notice for Inspection No. 66818. (2 pgs.)

These are all the records found responsive to your request.

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

Bensenville
24 S ADDISON ST

Zoning Information

ZONING INFORMATION

ZONED

C-1

ZONING DESCRIPTION

Commercial District

VIEW THE VILLAGE CODE

http://www.sterlingcodifiers.com/codebook/index.php?book_id=819

ORDINANCE NO. 18-2007

**AUTHORIZING SPRINT-NEXTEL ROOF WIRELESS
TELECOMMUNICATION EQUIPMENT (NINE ROOF ANTENNAE AND
EQUIPMENT ENCLOSURE)
24 S. ADDISON, BENSENVILLE
CONDITIONAL USE - TELECOMMUNICATIONS EQUIPMENT
(CDC CASE NO. 012207-1)**

WHEREAS, the subject property is located at 24 S. Addison, Bensenville, Illinois (the "Property"), and is zoned C-3, Downtown Mixed Use.

WHEREAS, the Petitioner, Sprint-Nextel has applied for the approval of a Conditional Use to install telecommunication equipment, to wit: nine roof antennae and an equipment enclosure, on the roof of the Linden Tower Apartments located at the Property.

WHEREAS, traffic will not be impacted in any way by the proposed installation of wireless telecommunication equipment and the enclosure.

WHEREAS, the proposed antennas and equipment enclosure will be wholly contained within the leased area. They will not have any adverse effects, such noise, glare, odor or dust.

WHEREAS, the equipment will be compatible with the existing environment and will not disrupt future development of the area. On the contrary, the wireless communication equipment will have a positive influence on future development.

WHEREAS, the equipment will not generate disproportionate demand for new services in the area.

WHEREAS, this installation of wireless telecommunication equipment will not endanger the public health, safety, comfort or general welfare of the community. It will promote efficient, effective personal, business, governmental and agricultural communications.

WHEREAS, this equipment will provide significant improvement of coverage and better serve the communication demands of the Village of Bensenville.

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 is legally described as follows:

See legal description, common street address and P.I.N. attached hereto and made a part hereof.

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 Permit to install telecommunication equipment, to wit: nine roof antennae and an equipment enclosure, on the roof of the Linden Tower Apartments located on the Property at 24 S. Addison, Bensenville, DuPage County, Illinois is hereby approved, subject to the following conditions, which conditions shall be binding upon the Petitioner, its successors and assigns, and shall run with the land:

1. No building permit or certificate of occupancy, if any, shall be issued for the subject telecommunications equipment, to wit: nine roof antennae and an equipment enclosure, unless (a) the application therefor conforms to the approved conditional use plan; or (2) the application conforms to the otherwise applicable zoning, subdivision and sign regulations, if any, and is also consistent with the approved conditional use plan, or (3) an amendment to the approved conditional use plan conforming to the application is approved pursuant to applicable provisions of the Village of Bensenville Zoning Ordinance.
2. The Petitioner shall comply with and obtain all required permit approvals for the subject development.
3. The subject telecommunication equipment, to wit: nine roof antennae and an equipment enclosure, shall be installed, constructed and otherwise maintained in compliance with the attached construction/installation plans and specifications attached hereto and made a part hereof, which plans and specifications are hereby approved. The nine new antennas shall be installed on the existing antenna sled mounts and will replace the existing antennas; the new equipment enclosure shall be located adjacent to the existing Sprint platform.

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

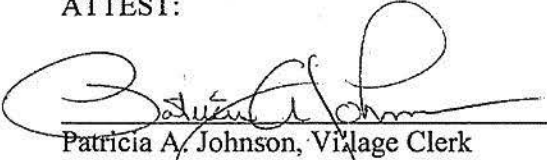
This Ordinance is in full force and effect from and after passage and publication according to law.

PASSED AND APPROVED by the President and Board of Trustees of the
Village of Bensenville, this 19th day of March, 2007.



John C. Geils, Village President

ATTEST:



Patricia A. Johnson, Village Clerk

AYES: Adamowski, Mandziara, Tralewski, Walberg, Williams

NAYS: None

ABSTAIN: None

ABSENT: Basso

Published in Pamphlet Form

ORDINANCE NO. 40-2007

**AUTHORIZING SPRINT-NEXTEL ROOF WIRELESS
TELECOMMUNICATION EQUIPMENT (NINE ROOF ANTENNAE AND
EQUIPMENT ENCLOSURE)
24 S. ADDISON, BENSENVILLE
CONDITIONAL USE - TELECOMMUNICATIONS EQUIPMENT
(CDC CASE NO. 061107-3)**

WHEREAS, the subject property is located at 24 S. Addison, Bensenville, Illinois (the "Property"), and is zoned C-3, Downtown Mixed Use.

WHEREAS, the Petitioner, Sprint-Nextel has applied for the approval of a Conditional Use to install telecommunication equipment, to wit: three roof antennae, one GPS antenna and two equipment enclosures, doubled stacked, on existing steel platforms located on the roof of the Linden Tower Apartments located at the Property.

WHEREAS, traffic will not be impacted in any way by the proposed installation of wireless telecommunication equipment and the enclosure.

WHEREAS, the proposed antennas and equipment enclosures will be wholly contained within the leased area. They will not have any adverse effects, such noise, glare, odor or dust.

WHEREAS, the equipment will be compatible with the existing environment and will not disrupt future development of the area. On the contrary, the wireless communication equipment will have a positive influence on future development.

WHEREAS, the equipment will not generate disproportionate demand for new services in the area.

WHEREAS, this installation of wireless telecommunication equipment will not endanger the public health, safety, comfort or general welfare of the community. It will promote efficient, effective personal, business, governmental and agricultural communications.

WHEREAS, this equipment will provide significant improvement of coverage and better serve the communication demands of the Village of Bensenville.

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 is legally described as follows:

See legal description, common street address and P.I.N. attached hereto and made a part hereof.

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 Permit to install telecommunication equipment, to wit: three roof antennae, one GPS antenna and two equipment enclosures, doubled stacked, on existing steel platforms located on the roof of the Linden Tower Apartments located on the Property at 24 S. Addison, Bensenville, DuPage County, Illinois is hereby approved, subject to the following conditions, which conditions shall be binding upon the Petitioner, its successors and assigns, and shall run with the land:

1. No building permit or certificate of occupancy, if any, shall be issued for the subject telecommunications equipment, to wit: three roof antennae, one GPS antenna and two equipment enclosures, doubled stacked, on existing steel platforms, unless (a) the application therefor conforms to the approved conditional use plan; or (2) the application conforms to the otherwise applicable zoning, subdivision and sign regulations, if any, and is also consistent with the approved conditional use plan, or (3) an amendment to the approved conditional use plan conforming to the application is approved pursuant to applicable provisions of the Village of Bensenville Zoning Ordinance.
2. The Petitioner shall comply with and obtain all required permit approvals for the subject development.
3. The subject telecommunication equipment, to wit: three roof antennae, one GPS antenna and two equipment enclosures, doubled stacked, on existing steel platforms, shall be installed, constructed and otherwise maintained in compliance with the attached construction/installation plans and specifications attached hereto and made a part hereof, which plans and specifications are hereby approved.

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

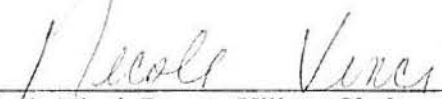
This Ordinance is in full force and effect from and after passage and publication according to law.

PASSED AND APPROVED by the President and Board of Trustees of the
Village of Bensenville, this 13th day of August, 2007.



John C. Geils, Village President

ATTEST:



Nicole Vinci, Deputy Village Clerk

AYES: ADAMOWSKI, JOHNSON, MANDZIARA, TRALEWSKI

NAYS: NONE

ABSTAIN: NONE

ABSENT: WILLIAMS

Published in Pamphlet Form

ORDINANCE NO. 68-2009

**AN ORDINANCE APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT
TO ALLOW ADDITIONAL ROOF-TOP ANTENNAS
AT 24 S. ADDISON ROAD, BENSENVILLE, ILLINOIS**

WHEREAS, on or about July 23, 2009, Raleigh Woodford, owner, and Tony Kaco c/o Black & Veatch Agent for Clear Wire, LLC, lessee-applicant (hereinafter collectively "Applicant"), filed an application seeking a conditional use permit to allow the addition of three roof-top antenna arrays on the roof of the property location at 24 S. Addison Road, pursuant to *The Village of Bensenville Zoning Ordinance* ("Zoning Ordinance"), such property being legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being attached hereto as Exhibit "B" and incorporated herein by reference; and

WHEREAS, a conditional use permit for this purpose has previously been granted at this location; the current application if approved would amend the conditional use permit to allow additional roof-top antennas; and

WHEREAS, Notice of Public Hearing with respect to the requested conditional use permit was published on October 16, 2009, in the *Bensenville Press*, being a newspaper having general circulation within the Village of Bensenville (the "Village"), all as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on November 9, 2009, all as required by the statutes of the State of Illinois and the ordinances of the Village; and,

WHEREAS, the Community Development Commission considered this matter and a vote of its members resulted in a 7-0 vote to approve the application, and forwarded its recommendations, including its findings of fact, a copy of which is attached hereto as Exhibit "C" and incorporated herein by reference, to the Economic and Community Development Committee of the Village Board on November 16, 2009; and,

WHEREAS, the Economic and Community Development Committee did meet and consider the application and findings of fact as made by the Community Development Commission and determined that it did concur with the Commission on its findings, and has forwarded its

recommendation to approve said application to the President and Board of Trustees on November 17, 2009; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and based on the recommendation of the Community Development Commission and the Economic and Development Committee have determined that the granting of the relief requested is consistent with the Zoning Ordinance and the orderly and harmonious development of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the Subject Property is currently zoned under the Zoning Ordinance as C-3 Mixed Use, with a conditional use permit granted to allow roof-top antennas.

SECTION THREE: That the Staff Report and Recommendation to recommend the Conditional Use Permit, which amends the existing conditional use permit, as sought in this application is attached to the recommendations of the Community Development Commission in Exhibit "C" and was adopted by the Community Development Commission as its finding of facts.

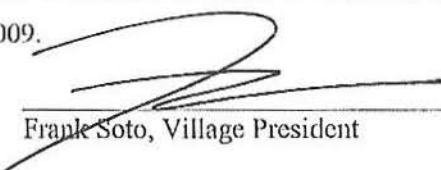
SECTION FOUR: That, the conditional use permit sought by the Applicant pursuant to Section 10-9B-3 of the Zoning Code is hereby granted for use of the property for installation of an additional roof top antenna array which exceeds the allowed height of 35 feet, said antenna being mounted at approximately 85 feet, upon the following condition:

1. The development shall be in substantial compliance with the plans prepared by Fullerton Engineering Associates dated 5-27-09, last revised 6-26-09.

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

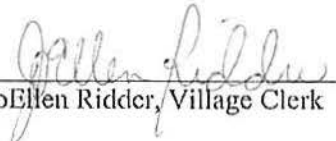
SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 24th day of November, 2009.



Frank Soto, Village President

ATTEST:



JoEllen Ridder, Village Clerk

AYES: Adamowski, Bartlett, Johnson, O'Connell, Peconio

NAYES: None

ABSENT: Wesseler

ORDINANCE # 4-2013

AN ORDINANCE GRANTING APPROVAL OF MASTER SIGN PLAN
FOR PROPERTY COMMONLY IDENTIFIED
AS LINDEN TOWERS APARTMENTS, 6-24 S. ADDISON, BENSENVILLE, ILLINOIS

WHEREAS, Bensenville Associates Limited Partnership ("Owner") and Linden Towers Apartments ("Applicant"), filed an application for approval of a Master Sign Plan for the property located at 6-24 A. Addison, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being contained in the files of the Community and Economic Development Department; and

WHEREAS, the Community Development Commission of the Village of Bensenville commenced a meeting on the Master Sign Plan on November 19, 2012, and continued the discussion from time to time until January 14, 2013, all in accordance with the ordinances of the Village of Bensenville applicable to adoption of signage; and

WHEREAS, Section 10-18-71 of the *Bensenville Village Code* requires a Master Sign Plan be applied "when more than one wall, awning, canopy, and/or permanent window sign is proposed on any building with multiple tenants;" and

WHEREAS, the Community Development Commission voted unanimously to approve the Master Sign Plan, in the form attached hereto and incorporated herein by reference as Exhibit "B," submitted by the Applicant, and forwarded its recommendation to the Village Board's Community and Economic Development Committee, which concurred in the recommendation made therein; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval of the requested Master Sign Plan for the Subject Property is consistent with the *Bensenville Village Code*.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

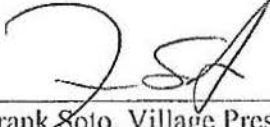
SECTION TWO: That the Subject Property is currently zoned under the Zoning Ordinance as C-3 Downtown Mixed Use District, which zoning classification shall remain in effect subject to the Master Sign Plan granted herein.

SECTION THREE: That all requirements of the Zoning Ordinance shall be applicable except as varied by the Master Sign Plan granted herein.

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

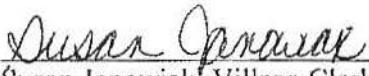
SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville, this 12th day of February, 2013.



Frank Soto, Village President

ATTEST:



Susan Janowiak, Village Clerk

AYES: **BARTLETT, JARECKI, O'CONNELL, PECONIO, RIDDER, WESSELER**

NAYES: **NONE**

ABSENT: **NONE**

ORDINANCE NO. 89-2013

**AN ORDINANCE APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT
TO ALLOW ADDITIONAL ROOF-TOP ANTENNAS AT 6-24 S. ADDISON ROAD,
BENSENVILLE, ILLINOIS**

WHEREAS, Bensenville Association LP ("Owner") and SBA Communication Corporation agent for AT&T, lessee-applicant (hereinafter collectively "Applicant") has filed an application for a conditional use permit amendment to Ordinance No. 68-2009 to allow the addition of twelve roof-top antennas on the roof of the property located at 6-24 S. Addison Street, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property") pursuant to Section 10-7C-3 and 10-15-2C of the *Village of Bensenville Zoning Ordinance* ("Zoning Ordinance"), a copy of said application being on file in the Community and Economic Development Department; and

WHEREAS, such use is allowed as a conditional use in the C-3 Downtown Mixed-Use District, pursuant to the applicable provisions of the Zoning Ordinance; and

WHEREAS, Notice of Public Hearing with respect to the conditional use permit sought by the Owner was published in the Daily Herald, a newspaper of general circulation in the Village of Bensenville, on September 28, 2013, and all notice as required by the statutes of the State of Illinois and the ordinances of the Village have been made; and

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on October 14, 2013 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, a motion was made to adopt the findings of facts as set forth in Exhibit "B," attached hereto and incorporated herein by reference and to recommend approval of the application; and

WHEREAS, when votes were called on this application, the Community Development Commission voted 5 – 0, which resulted in a vote to recommend approval of the application for conditional use permit amendment to allow additional antennas at the Subject Property; and

WHEREAS, the Community Development Commission then forwarded its recommendation to the President and Board of Trustees on November 12, 2013; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the conditional use permit amendment should be granted with the conditions as set forth herein, allowing the relief requested, finding that it is

consistent with the Zoning Ordinance and the orderly and harmonious development of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That the Village Board hereby finds that the conditional use permit amendment should be granted, the Applicant and Village Staff having provided facts in support of its Petition which meet the requirements of the Village Code, and those facts being adopted herein by the Village Board, as set forth in the Findings of Fact attached hereto as Exhibit "B."

SECTION THREE: That the application submitted by the Applicant seeking approval of a conditional use permit amendment for installation of additional rooftop antennas on the Subject Property is hereby granted, subject to the following conditions:

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

(2) The rooftop mounted antennas be erected in substantial compliance with the plans submitted with the application prepared by Apex Engineers, Inc. dated 06.26.13.

SECTION FOUR: That this Ordinance shall be in full force and effect from and after its passage, 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 12th day of November, 2013.



Frank Soto, Village President

ATTEST:



Ilsa Rivera-Trujillo, Village Clerk

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

NAYES: NONE

ABSENT: JANOWIAK



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

Type of Inspection: MULTIPLE FAMILY DWELLING

CORRECTION NOTICE

Address: 24 ADDISON

Unit:

Business name:: WOODFORD, RALEIGH

Phone: 630-595-2420

Business Owner: BALP

Address: 24 S. ADDISON STREET BENSENVILLE, IL

Inspection Date: 4/25/2019

Inspector: RON HERFF

<u>Checklist #</u>	<u>Violation</u>	<u>Violation comment</u>
0008	FREE AREA OF MOLD AND MILDEW	Unit- 400, 417, 304, have mold in the bathroom.
0011	MEANS OF EGRESS BLOCKED-INTERIOR	Unit 315 Hall is blocked by furniture.
0023	SMOKE DETECTORS NEEDED	Unit- 408, 302, 107, Smoke detector is either not working or it is missing.
050Z	OTHER	8th floor store room has the access for the roof hatch. Please lable storage room door with roof access .
080Z	OTHER	Unit- 720- Tenant left 3 candles unattended in the living room. Tenant was asleep in the bedroom.
090	INTERIOR SURFACES	PLease remind your tenants not to leave candles unattended.
120	INTERIOR ELECTRIC	Unit- 810- Counter top is in bad shape needs to be looked at. Unit 208- UNSAFE ELECTRIC- Found LED light that had been spliced together and taped with a extension code wire and then plugged in.
170J	INSTALL 4 X 4 INCH STORZ FITTING	Unit 719- Too many items plugged into extension cord. Fire department connection must be changed to a 4 inch 30 degree storz fitting with locking cap.

Additional Remarks/Comments:

Reinspection 66819 created on 04/25/2019 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: MULTIPLE FAMILY DWELLING

CORRECTION NOTICE

Address: 24 ADDISON

Unit:

Business name:: WOODFORD, RALEIGH

Phone: 630-595-2420

Business Owner: BALP

Address: 24 S. ADDISON STREET BENSENVILLE, IL

Inspection Date: 4/25/2019

Inspector: RON HERFF

Report emailed to llwoodford@gmail.com

Copy of this report received by/mailed to: _____

Inspector: _____

Date: _____