BENSENVILLE
VILLAGE CLERK'S OFFICE

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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April 23, 2021

Ms. Kara Loftice
1012 24th Avenue NW, Suite 100
Norman, OK 73069

Re: April 22, 2021 Commercial FOIA Request

Dear Ms. Loftice:

I am pleased to help you with your April 22, 2021 Commercial Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on April 22, 2021. You requested copies of the items indicated below:

"Zoning violations, building violations, fire violations, relief, site plan & CO's. Please see attached forms."

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

1) Village of Bensenville Ordinance No. 42-2015. (11 pgs.)
2) Village of Bensenville Certificate of Compliance for Inspection No. 73761. (1 pg.)
3) Village of Bensenville Business Licenses Issued to 625 North Thomas Drive Since January 1, 2008. (1 pg.)

These are all of the documents that can be discovered 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

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

Ordinance No. 42-2015

An Ordinance Granting Approval of a Variance to Allow a Reduction Parking Setback and Frontage Strip for the Property Commonly Identified as 625 Thomas Drive, Bensenville, Illinois

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ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 27th DAY OF OCTOBER, 2015

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois this 28th day of October 2015

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. 42-2015 entitled an Ordinance Granting Approval of a Variance to Allow a Reduction Parking Setback and Frontage Strip for the Property Commonly Identified as 625 Thomas Drive, Bensenville, Illinois.

INWITNESS WHEREOF, I have hereunto affixed my official hand and seal on this 28th day of October, 2015.

VILLAGE OF BENSENVILLE
SEAL
ILLINOIS

Corey Williamsen
Deputy Village Clerk

ORDINANCE # 42-2015

AN ORDINANCE GRANTING APPROVAL OF A VARIANCES TO ALLOW A REDUCTION PARKING SETBACK AND FRONTAGE STRIP FOR THE PROPERTY COMMONLY IDENTIFIED AS 625 THOMAS DRIVE, BENSENVILLE, ILLINOIS

WHEREAS, Transparent Container Co., Inc. ("Owner /Applicant"), filed an application for approval of variance to allow a reduction in the Parking Setback from 25 feet to 0 foot and to reduce the Frontage (Landscape) Strip from 8' to 0'as set forth in Sections 10 – 9B – 4 and 10 – 12 – 2 of the Village of Bensenville Zoning Ordinance ("Zoning Ordinance") for the property located at 625 North Thomas Drive, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being contained on file in the Community and Economic Development Department; and

WHEREAS, Notice of Public Hearing with respect to the variance sought by the Applicant was published in the Bensenville Independent on September 3, 2015 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property and via First Class mail to taxpayers of record within 250 feet of the Subject Property, 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 September 21, 2015 as required by the statutes of the State of Illinois and the ordinances of the Village; and

WHEREAS, after hearing the application, the Community Development Commission approved the findings of fact submitted by Village Staff recommending approval of the variance and, thereafter, voted unanimously (4-0) to recommend approval of the reduction of the parking setback from 25' to 4' and a reduction in the Frontage (Landscape) Strip from 8' to 4', and forwarded its recommendations, including the Staff Report and findings relative to the variations to the Community and Economic Development Committee, which concurred in the recommendation made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on October 20, 2015 the Community and Economic Development Committee then forwarded its recommendation, along with that of the Community Development Commission, to the President and Board of Trustees; and

WHEREAS, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval of the requested variance as recommended by the Community Development Commission to allow a reduction in the interior side yard setback is consistent with the Zoning Ordinance.

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 I – 2 Light Industrial District, which zoning classification shall remain in effect subject to the variances granted herein.

SECTION THREE: That the Staff Report and Recommendation to approve the variance sought, as allowed by the Zoning Ordinance, Sections 10-9B-4 and 10 – 12 – 2, as adopted by the Community Development Commission as shown in Exhibit "B" is hereby adopted by the President and Board of Trustees, the Board of Trustees finding that said variance are proper and necessary.

SECTION FOUR: That the variance sought by the Owner/Applicant to allow an increase in the reduction of the parking setback and reduction of the Frontage (Landscape) Strip of the Subject Property is hereby granted subject to the following conditions:

1) The construction be in accordance with the plans submitted by the applicant on July 31, 2015.
2) The landscape frontage strip shall be maintained to less than 2.5 feet in height.
3) The applicant shall construct curb and gutters to Village standards around the perimeter of the new pavement.

SECTION FIVE: That all requirements of the Zoning Ordinance shall be applicable except as varied by the variance granted herein.

SECTION SIX: 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 SEVEN: 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 27th day of October, 2015.

Frank Soto, Village President

ATTEST:

Ilsa Rivera-Trujillo, Village Clerk

AYES: DeSimone, Jaworska, Wesseler, Janowiak, O'Connell

NAYES: None

ABSENT: Carmona

Ordinance # 42-2015

Exhibit "A"

Legal Description

LOT 16 AND 17 (EXCEPT THE NORTH 200 FEET (AS MEASURED ON THE EAST LINE OF AND PARALLEL WITH THE NORTH LINE) OF SAID LOT 17) IN KLEFSTAD'S BENSENVILLE INDUSTRIAL PARK, BEING A SUBDIVISION IN SECTIONS 2 AND 11, TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 20, 1967 AS DOCUMENT R67-2065, IN DUPAGE COUNTY, ILLINOIS.

The common address is 625 Thomas Drive.

Ordinance # 42-2015

Exhibit "B"

Community Development Commission Findings of Fact / Recommendation

Motion: Commissioner Rowe made a motion to approve the findings of facts for the proposed variance to reduce the parking setback from 25' to 4'consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. Due to the curved path of Thomas Drive, which resulted in the irregular shaped setbacks from street to lot, the overall space available for parking is reduced. Additionally, the location and configuration of the docks, requires a semi-truck turn around in the lot, further reducing the area available for parking. Other properties in the area are configured to use the street as a means to back the trucks in to the dock.
2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. Without additional parking places, the applicant is hindered from sustaining and growing the business in a competitive market place. Also, the applicant will not be able to do additional hiring.
3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances relate specifically to the property due to the irregular shaped setbacks from street to lot.
4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The special circumstances have not resulted from any act of the applicant.
5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. The variance is necessary for the applicant to fully utilize and staff the facility, similar to other businesses in the area that have done the same.

6. **Necessary for Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variance is necessary so that the applicant will not be deprived of reasonable use of, enjoyment or reasonable economic return from the property.
7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. Landscaping in the form of bushes will be added to the lot to maintain screening of the parking from the street.
8. **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The granting of the variances will be in harmony with the general purpose and intent of the Comprehensive Plan.
9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the property. The variance requested is the minimum required to provide the applicant with relief from undue practical difficulties.

Chairman Moruzzi seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Rodriguez, Rowe

Nays: None

All were in favor. Motion carried.

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

facts for the proposed variance to reduce the landscape strip from 8' to 4' consisting of:

1. **Special Circumstances:** Special circumstances exist that are peculiar to the property for which the variances are sought and that do not apply generally to other properties in the same zoning district. Also, these circumstances are not of so general or recurrent a nature as to make it reasonable and practical to provide a general amendment to this Title to cover them. Due to the curved path of Thomas Drive, which resulted in the irregular shaped setbacks from street to lot, the overall space available for parking is reduced. Additionally, the location and configuration of the docks, requires a semi-truck turn around in the lot, further reducing the area available for parking. Other properties in the area are configured to use the street as a means to back the trucks in to the dock.
2. **Hardship Or Practical Difficulties:** For reasons set forth in the findings, the literal application of the provisions of this Title would result in unnecessary and undue hardship or practical difficulties for the applicant as distinguished from mere inconvenience. Without additional

parking places, the applicant is hindered from sustaining and growing the business in a competitive market place. Also, the applicant will not be able to do additional hiring.

3. **Circumstances Relate To Property:** The special circumstances and hardship relate only to the physical character of the land or buildings, such as dimensions, topography or soil conditions. They do not concern any business or activity of present or prospective owner or occupant carries on, or seeks to carry on, therein, nor to the personal, business or financial circumstances of any party with interest in the property. The circumstances relate specifically to the property due to the irregular shaped setbacks from street to lot.
4. **Not Resulting From Applicant Action:** The special circumstances and practical difficulties or hardship that are the basis for the variance have not resulted from any act, undertaken subsequent to the adoption of this Title or any applicable amendment thereto, of the applicant or of any other party with a present interest in the property. Knowingly authorizing or proceeding with construction, or development requiring any variance, permit, certificate, or approval hereunder prior to its approval shall be considered such an act. The special circumstances have not resulted from any act of the applicant.
5. **Preserve Rights Conferred By District:** A variance is necessary for the applicant to enjoy a substantial property right possessed by other properties in the same zoning district and does not confer a special privilege ordinarily denied to such other properties. The variance is necessary for the applicant to fully utilize and staff the facility, similar to other businesses in the area that have done the same.
6. **Necessary for Use Of Property:** The grant of a variance is necessary not because it will increase the applicant's economic return, although it may have this effect, but because without a variance the applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the property. The variance is necessary so that the applicant will not be deprived of reasonable use of, enjoyment or reasonable economic return from the property.
7. **Not Alter Local Character:** The granting of the variance will not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity. Landscaping in the form of bushes will be added to the lot to maintain screening of the parking from the street.
8. **Consistent With Title And Plan:** The granting of a variance will be in harmony with the general purpose and intent of this Title and of the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and will not serve in effect to substantially invalidate or nullify any part thereof. The granting of the variances will be in harmony with the general purpose and intent of the Comprehensive Plan.
9. **Minimum Variance Needed:** The variance approved is the minimum required to provide the applicant with relief from undue hardship or practical difficulties and with reasonable use

and enjoyment of the property. The variance requested is the minimum required to provide the applicant with relief from undue practical difficulties.

Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Rodriguez, Rowe

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rodriguez made a motion to approve the proposed variance to reduce the parking setback from 25' to 4'with Staff's recommendations consisting of:

1. The construction be in accordance with the plans submitted by the applicant on July 31, 2015.
2. The landscape frontage strip shall be maintained to less than 2.5 feet in height.
3. The applicant shall construct curb and gutters to Village standards around the perimeter of the new pavement.

Commissioner Rowe seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Rodriguez, Rowe

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the proposed variance to reduce the landscape strip from 8' to 4' with Staff's recommendations consisting of:

1. The construction be in accordance with the plans submitted by the applicant on July 31, 2015.
2. The landscape frontage strip shall be maintained to less than 2.5 feet in height.
3. The applicant shall construct curb and gutters to Village standards around the perimeter of the new pavement.

Commissioner Rodriguez seconded the motion.

ROLL CALL: Ayes: Moruzzi, Pisano, Rodriguez, Rowe

Nays: None

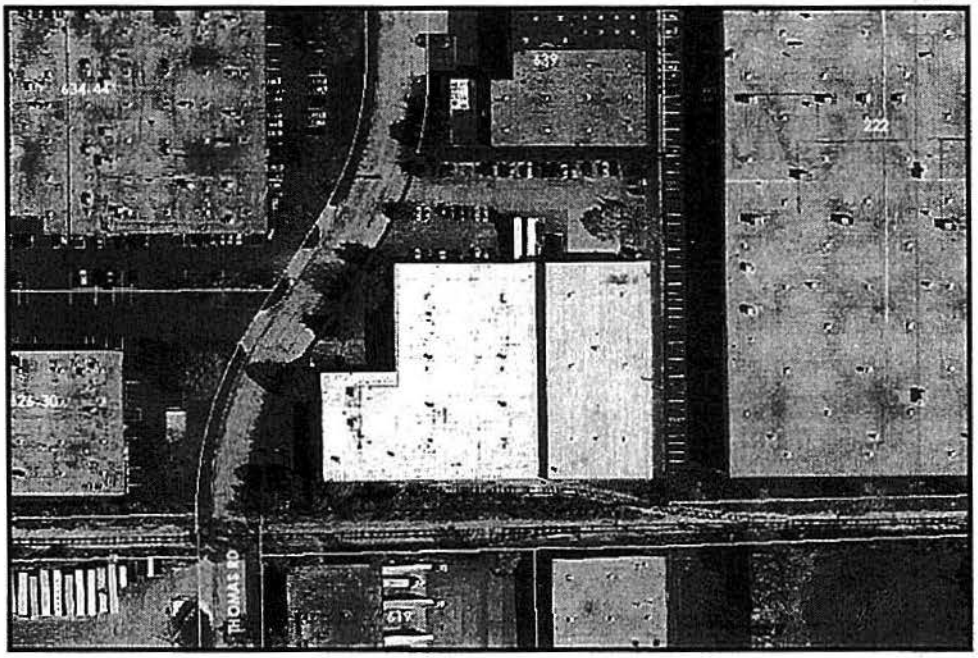
All were in favor. Motion carried.

CDC#2015 - 23

625 Thomas Drive
Transparent Container Company
Variances to Reduce Parking and Landscape Setbacks to 0'

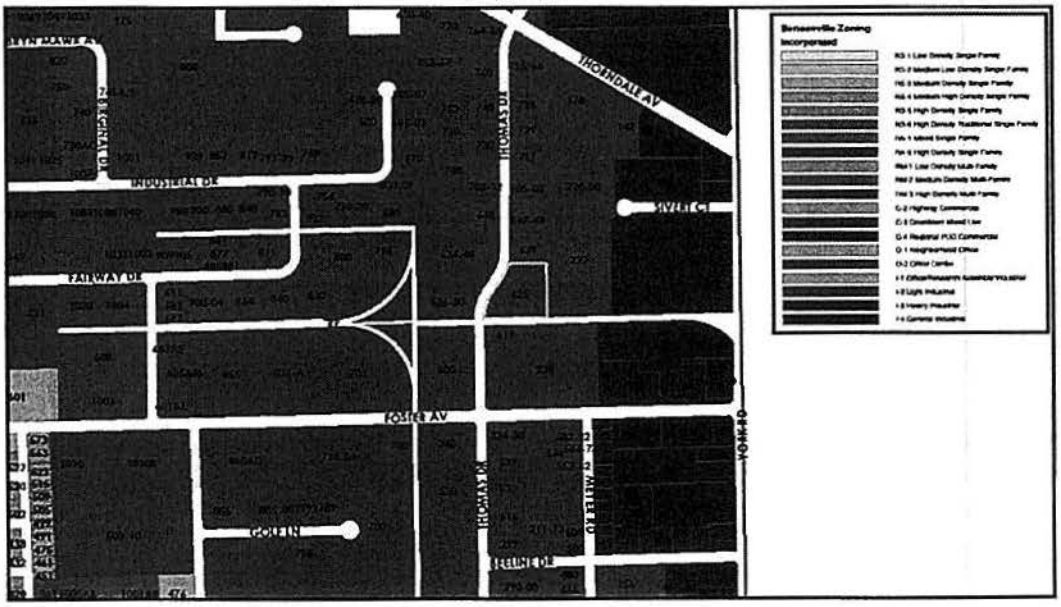
Village of Bensenville

625 N. Thomas



Village of Bensenville

Zoning Map



Village of Bensenville
Department of Community and Economic Development
12 S. Center Street, Bensenville, IL 60106
Phone: 630.350.3413 Fax: 630.350.3449

2020

CERTIFICATE OF COMPLIANCE

NON-RESIDENTIAL

ANNUAL INSPECTION

Inspection Number: 73761

DATE: January 14, 2020

This certifies that:

ROHRER CORPORATION
625 NORTH THOMAS DRIVE.
BENSENVILLE IL 60106

Has been inspected and satisfactorily passed inspection.

Business may continue on the current issued Village License.

LINDSAY LAYCOAX
Village of Bensenville Inspector

Lindsay Laycoax
Village of Bensenville Inspector's Signature

BENSENVILLE
COMMUNITY & ECONOMIC
DEVELOPMENT

KEEP THIS CERTIFICATE WITH YOUR DEED AND OTHER VALUABLE DOCUMENTS

Status	Location	DBA	Municipality	Start Date	Last License
ACTIVE	625 NORTH THOMAS DRIVE	ROHRER CORPORATION	BENSENVILLE	01/01/2008	10/30/2020