



12 South Center Street
Bensenville, IL 60106

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VILLAGE BOARD

October 27, 2021

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Ms. Bonita Knight
19045 North Rockwell Avenue
Edmond, Oklahoma 73012

Re: October 26, 2021 FOIA Request

Dear Ms. Knight:

I am pleased to help you with your October 26, 2021 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on October 26, 2021. You requested copies of the items indicated below:

"Copy of final approved site plan, copies of certificate of occupancy, copies of any variances or special/conditional use permits, copies of any planned development plans/approval, inquiry of any active zoning, building or fire code violations for: O'Reilly Auto Parts located at 321 W. Irving Park Rd, Parcel ID: 03-14-205-016 & 017, Built in 2020."

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

- 1) Village of Bensenville Business Licenses Issued to 321 West Irving Park Road Since January 1, 2008. (1 pg.)
- 2) Village of Bensenville Ordinance No. 73-2019. (5 pgs.)

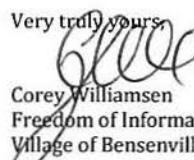
These are all of the documents that can be discovered responsive to your request.

Section 7(1)(K) of FOIA provided that architects' plans, engineers' technical submissions, and other construction related or developed in whole or in part with public funds and the same of projects constructed or developed with public funds, including but not limited to power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sports stadiums, convention centers, and all government owned, operated or occupied buildings, but only to the extent that disclosure would comprise security are exempt from disclosure. Consequently, drawings have been redacted from the records being provided.

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." 5 ILCS 140/2(c-5). Consequently, certain 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

Status	Location	DBA	Municipality	Start Date	Last License
ACTIVE	321 WEST IRVING PARK ROAD	O'REILLY AUTO PARTS #6076	BENSENVILLE	04/09/2021	04/09/2021
INACTIVE	321W IRVING PARK ROAD	POOLS & SPAS, INC.	BENSENVILLE	01/01/2008	11/05/2013

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

Ordinance No. 73-2019

An Ordinance Granting Approval of Variations to Allow Reductions in Maximum Front and Corner Side Setbacks, An Increase in Maximum Driveway Width, and Relief from On-Site Pedestrian Circulation System Requirements at 321 West Irving Park Road

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 17th DAY OF DECEMBER 2019**

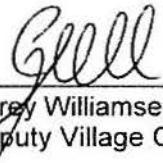
Published in pamphlet form by authority of the President and Board of Trustees of the Village of Bensenville, DuPage and Cook Counties, Illinois this 18th day of December, 2019

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. 73-2019 entitled an Ordinance Granting Approval of Variations to Allow Reductions in Maximum Front and Corner Side Setbacks, An Increase in Maximum Driveway Width, and Relief from On-Site Pedestrian Circulation System Requirements at 321 West Irving Park Road.

INWITNESS WHEREOF, I have hereunto affixed my official hand and seal on this 18th day of December, 2019.





Corey Williamsen
Deputy Village Clerk

ORDINANCE # 73-2019

**AN ORDINANCE GRANTING APPROVAL OF VARIATIONS TO ALLOW
REDUCTIONS IN MAXIMUM FRONT AND CORNER SIDE SETBACKS, AN
INCREASE IN MAXIMUM DRIVEWAY WIDTH, AND RELIEF FROM ON-SITE
PEDESTRIAN CIRCULATION SYSTEM REQUIREMENTS AT 321 WEST IRVING
PARK ROAD**

WHEREAS, 321 Irving Park, LLC ("Owner") and Core Bensenville, LLC ("Applicant") filed an application for Variations, Maximum Front Setback, Municipal Code Section 10 – 6 – 8 – 1; and Variations, Maximum Corner Side Setback, Municipal Code Section 10 – 6 – 8 – 1; and Variations, Maximum Driveway Width, Municipal Code Section 10 – 8 – 8 -1; and Variations, On-Site Pedestrian Circulation System, Municipal Code Section 10 – 8 – 7 – C of the Village of Bensenville Zoning Ordinance ("Zoning Ordinance") for the property located at 321 West Irving Park Road, 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 Variations sought by the Applicant was published in the Bensenville Independent on Thursday, November 14, 2019 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 Tuesday, December 3, 2019 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 agreed with the findings of fact submitted by Applicant recommending approval of the Variations and, thereafter, voted unanimously (5-0) to recommend approval of the Variations and forwarded its recommendations, including the Staff Report and findings relative to the Variations to the Village President and Board of Trustees, which concurred in the recommendation made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, the Village President and Board of Trustees have reviewed the matter herein and have determined that approval of the requested Variations as recommended by the

Community Development Commission to allow the Variations is consistent with the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Village 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 Staff Report and Recommendation to approve the Variations sought, as allowed by the Zoning Ordinance, Sections 10 – 6 – 8 – 1, 10 – 8 – 8 – 1, and 10 – 8 – 7 – C as adopted by the Community Development Commission as shown in Exhibit “B” are hereby adopted by the Village President and Board of Trustees, the Board of Trustees finding that said Variations are proper and necessary.

SECTION THREE: That the Variations sought by the Owner/Applicant on the Subject Property are hereby approved with the following conditions:

- 1) A DuPage County Stormwater Management Certification shall be provided for this project as the total land disturbing activity exceeds 5,000 SF;
- 2) An Illinois Department of Transportation (IDOT) permit shall be required if work is proposed within IL-19 right-of-way;
- 3) All existing utilities shall be disconnected and capped at the main;
- 4) A 5-feet wide ADA complaint public sidewalk shall be provided along the Walnut St frontage of the site;
- 5) A 7-feet wide stamped concrete ADA complaint public sidewalk shall be provided along the IL-19 frontage of the site. This sidewalk shall match the opposite side of IL-19 and be installed directly adjacent to the existing north side IL-19 C&G;
- 6) A plat of consolidation may be required to combine the two existing lots;
- 7) 2 bicycle parking spaces shall be provided;
- 8) Applicant shall revise plans to meet Village standards for depth and width of parking spaces;
- 9) Root-mounted mechanical units shall be screened. Screening must equal the height of the tallest mechanical equipment installed on the roof of the building;
- 10) A minimum of one shade tree shall be provided per landscape island;

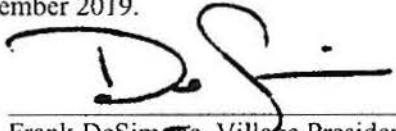
- 11) The trash enclosure be in line with buildings western façade rather than projecting out past the façade;
- 12) Stamped concrete walk shall continue east of the Irving Park Road curb cut;
- 13) Applicant shall provide tree sizes and reasons as to why mature trees are being removed on the property; and
- 14) Street trees shall be planted along Walnut Street.

SECTION FOUR: That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Variations approved herein.

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.

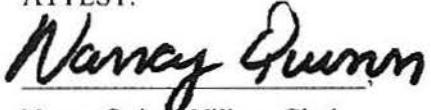
SECTION SIX: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the Village President and Board of Trustees of the Village of Bensenville, this 17th day of December 2019.



Frank DeSimone, Village President

ATTEST:



Nancy Quinn

Nancy Quinn, Village Clerk

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYES: None

ABSENT: None