



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**

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November 28, 2022

Ms. Amy Latimer  
1300 South Meridian Avenue, Suite 400  
Oklahoma City, Oklahoma 73108

Re: November 17, 2022 FOIA Request

Dear Ms. Latimer:

I am pleased to help you with your November 17, 2022 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on November 17, 2022. You requested copies of the items indicated below:

*"Please provide copies of any open/unresolved zoning, building, and fire code violations, certificates of occupancy, and special/conditional use permits (variances,) and the final approved site plan for the property located at 454 & 450 Country Club Drive - parcel number: 0311309021."*

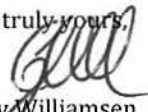
After a search of Village files, the following information was found responsive to your request:

- 1) Village of Bensenville Certificate of Compliance for Inspection No. 96613. (1 pg.)
- 2) Village of Bensenville Ordinance No. 19-2013. (9 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



# VILLAGE OF BENSENVILLE

## FREEDOM OF INFORMATION ACT

### REQUEST FORM

TO: COREY WILLIAMSEN

Freedom of Information Officer  
Village of Bensenville  
12 S. Center Street  
Bensenville, IL 60106

FROM:

Name Amy Latimer

Address 1300 S. Meridian Ave. Suite 400

OKC, OK 73108

Phone 405-546-4357

E-Mail amy.latimer@pzs.com

12416

**TITLES OR DESCRIPTION OF RECORDS REQUESTED (Please Include Date of Birth and Case Number for Police Records):**

Please provide copies of any open/ unresolved zoning, building, and fire code violations, certificates of occupancy, any special/ conditional use permits (variances), and the final approved site plan for the property located at 454 & 450 Country Club Drive - parcel number: 0311309021. Please do not exceed \$25.00 in fees without prior approval. Thanks! (Our Ref # 163437-1)

☐

THIS REQUEST IS FOR A COMMERCIAL PURPOSE (You must state whether your request is for a commercial purpose. A request is for a "commercial purpose" if all or any part of the information will be used in any form for sale, resale, or solicitation or advertisement for sales or services. Failure to disclose whether a request is for a commercial purpose is a prosecutable violation of FOIA.)

Would like your request delivered via: ☒ E-Mail ☐ U.S. Mail ☐ Pick-Up\*

\*Pick-Up is available by appointment at Village Hall Monday thru Friday; between 8:00 a.m. – 5:00 p.m.

I understand that any payment need be received before any documents are copied and/or mailed.

11/17/2022

Date

Amy Latimer  
Signature

All FOIA responses are posted on the Village's website. Name and address of the requestor will be made public.

The first fifty (50) pages of the request are free. The fee charge is fifteen (15) cents after the first fifty (50) pages.

Unless otherwise notified, your request for public records will be compiled within five (5) working days.

Unless otherwise notified, any request for commercial purposes will be compiled within twenty-one (21) days working days.

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COREY WILLIAMSEN, FREEDOM OF INFORMATION OFFICER

Telephone: (630) 350-3404 Facsimile: (630) 350-3438

E-mail Address: FOIArequest@bensenville.il.us

\*\*\*For Freedom of Information Officer Use Only\*\*\*

11/17/22

Date Request  
Received

11/28/22

Date Response  
Due

12/5/22

Date Extended  
Response Due

150

Total Charges

11/28/22

Date Documents  
Copied or Inspected

Received by Employee: \_\_\_\_\_

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

## **CERTIFICATE OF COMPLIANCE**

**For: Business License Inspection**

**Inspection Number: 96613**

**DATE: October 31, 2022**

**This certifies that the inspection performed by the Village of Bensenville**

**GAGE FOODS**

**450-454 N. Country Club Drive**

**Bensenville, IL 60106**

**Has been completed and approved:**

**With the exception of the conditions listed below:**

**REPAIR MAGNETIC FIRE DOOR HOLDER**

**Business License approved**

Don Tessler

**Village of Bensenville Inspector**

*Donald Tessler*

**Village of Bensenville Inspector's Signature**

**KEEP THIS CERTIFICATE WITH YOUR DEED AND OTHER VALUABLE DOCUMENTS**

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

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**Ordinance No. 19-2013**

**An Ordinance Approving the Grant of a Conditional Use Permit to Allow Food  
Processing at 454 Country Club Drive, Bensenville, Illinois**

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**ADOPTED BY THE  
VILLAGE BOARD OF TRUSTEES  
OF THE  
VILLAGE OF BENSENVILLE  
THIS 2nd DAY OF April, 2013**

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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 3rd day of April 2013

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. 19-2013 entitled an ordinance approving the grant of a conditional use permit to allow food processing at 454 County Club Drive, Bensenville, Illinois.

INWITNESS WHEREOF, I have hereunto affixed my official hand and seal on this 3rd day of April, 2013.



  
\_\_\_\_\_  
Corey Williamsen  
Deputy Village Clerk

ORDINANCE NO. 19-2013

**AN ORDINANCE APPROVING THE GRANT OF A CONDITIONAL USE PERMIT  
TO ALLOW FOOD PROCESSING AT 454 COUNTRY CLUB DRIVE,  
BENSENVILLE, ILLINOIS**

**WHEREAS**, Anita Rackow Trust ("Owner") and Windy Acquisition LLC D/B/A Gage Foods ("Applicant"), filed an application seeking a conditional use permit to allow Food Processing in the I-1 Office/Research/Assembly Industrial District pursuant to Section 10-9A-3 of *The Village of Bensenville Zoning Ordinance* ("Zoning Ordinance") at property commonly known as 454 Country Club Drive, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property"), a copy of said application being on file in the Community and Economic Development Department; and

**WHEREAS**, Food Processing is allowed as a conditional use in the I-1 Office/Research/Assembly Industrial District; and

**WHEREAS**, Notice of Public Hearing with respect to the conditional use permit sought by the Owner and Applicant tenant was published in the Daily Herald on February 9, 2013 in 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, 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 commencing on February 25, 2013 as required by the statutes of the State of Illinois and the ordinances of the Village, and after hearing the application, made the findings of facts submitted by Village Staff recommending approval of the application as set forth in Exhibit "B," attached hereto and incorporated herein by reference; and

**WHEREAS**, upon said findings of facts, the Community Development Commission voted 6-0 to grant the application for conditional use permit to allow Food Processing as requested at the Subject Property; and

**WHEREAS**, the Community Development Commission forwarded its recommendation to approve the application to the Village Board's Community and Economic Development Committee which concurred in the recommendation to approve the application; and

**WHEREAS**, 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 on April 2, 2013; and

**WHEREAS**, the President and Board of Village Trustees considered the matter and determined, based on its consideration, that the permit should be granted, 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 application for a conditional use permit to allow Windy Acquisitions LLC D/B/A Gage Foods to conduct Food Processing at the Subject Property, in conjunction with its use of the Subject Property, is hereby granted, subject to the following conditions: (1) the Conditional Use Permit be granted solely to Windy Acquisitions LLC D/B/A Gage Foods 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 the Subject Property, the proprietors shall appear before a public meeting of the CDC. The CDC shall review the request and in its sole discretion, shall either recommend that the Village Board approve of the transfer of the permit to the new tenant or owners without amendment to the Conditional Use Permit, or if the CDC deems that the new proprietor or tenant contemplates a change in use which is inconsistent with the Conditional Use Permit, the new proprietor or tenant shall be required to petition for a new public hearing before the CDC for a new Conditional Use Permit; (2) a copy of the conditional use permit ordinance must be kept on the premises of the establishment; (3) the Subject Property shall be developed and utilized in substantial conformance to the Plans to be submitted, as a part of this Application; and being reviewed as Building Permit No. 3193; (4) Resolution of the flooding issue with the Village staff as the sole arbitrator; (5). Applicant will work with Village staff on the temporary location for the trailers and the trailers shall be removed no more than 60 days from the date of Village approval of the Conditional Use Permit.

**SECTION THREE:** 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 2<sup>nd</sup> day of day of April, 2013.

  
\_\_\_\_\_  
Frank Soto, Village President

ATTEST:

  
\_\_\_\_\_  
COREY WILLIAMSEN, DEPUTY VILLAGE CLERK

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

NAYES: NONE

ABSENT: NONE

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**Ordinance # 19 - 2013**  
**Exhibit "A"**

The Legal Description of the property is as follows:

The north 110.00 feet of lot 9 as measured on the east line thereof in "O'Hare Metropolitan Industrial District Unit 2," (a Resubdivision of parts of Lots 1, 2, 3, 8 and 10 and all of lot 9 in Henry D. Franzen's division), in section 11, Township 40 North, Range 11 East of the Third Principal Meridian, according to the plat thereof recorded September 14, 1971, as Document No. R71 - 46718 in DuPage County, Illinois

Commonly known as 454 North Country Club Drive Bensenville, Illinois.

**Ordinance # 19 - 2013**

**Exhibit "B"**

**Findings of Fact**

**Motion:**

Commissioner Janowiak made a motion to approve the findings of fact for the conditional use request consisting of:

1. **Traffic:** The proposed use will not create any adverse impact of types or volumes of traffic flow not otherwise typical of permitted uses in the zoning district has been minimized. The proposed use will not create any adverse impact on types or volumes of traffic flow. Adequate parking is found for the uses associated with the subject property.
2. **Environmental Nuisance:** The proposed use will not have negative effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects of a type or degree not characteristic of the historic use of the property or permitted uses in the district. There will be not be negative environmental effects based on the internal nature of the food preparation being relatively small scale without the use or production of odiferous foods.
3. **Neighborhood Character:** The proposed use will fit harmoniously with the existing character of existing permitted uses in its environs. Any adverse effects on environmental quality, property values or neighborhood character beyond those normally associated with permitted uses in the district have been minimized. The proposed use will fit harmoniously with the existing character of the office/research/assembly industrial area found along Country Club Drive.
4. **Use Of Public Services And Facilities:** The proposed use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the district, nor generate disproportionate demand for new services or facilities in such a way as to place undue burdens upon existing development in the area. The proposed use will not require existing community facilities or services disproportionate to that normally expected of permitted uses.
5. **Public Necessity:** The proposed use at the particular location requested is necessary to provide a service or a facility which is in the interest of public convenience, and will contribute to the general welfare of the neighborhood or community. It will contribute to the general welfare of the community by supplying a use which is needed in our society.
6. **Other Factors:** The use is in harmony with any other elements of compatibility pertinent in the judgment of the commission to the

conditional use in its proposed location. Other factors are subject to the Commission's judgment.

Commissioner Rowe seconded the motion.

Roll Call:

Ayes: Moruzzi, Janowiak, Rowe, Pisano, Ventura, Weldon

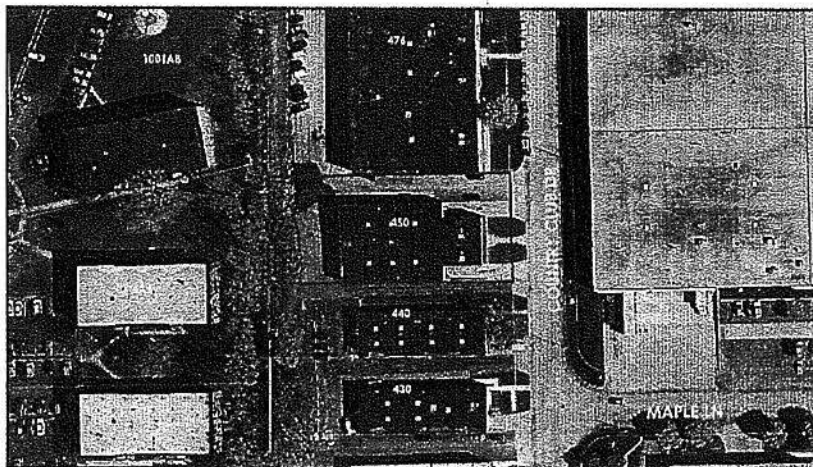
Nays: None

All were in favor. Motion carried.

CDC#2013 - 02 454 Country Club Drive  
Gage Foods  
CUP, Food Processing

△

450-454 N Country Club Dr.



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### Zoning Map

