



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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Nancy Quinn

Village Manager
Evan K. Summers

May 8, 2023

Mr. James S. Cerami
Cerami Law
15450 Summit Avenue, Suite 325
Oakbrook Terrace, Illinois 60181

Re: May 6, 2023 FOIA Request

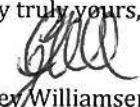
Dear Mr. Cerami:

I am pleased to help you with your May 6, 2023 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on May 8, 2023. You requested copies of the items indicated below:

"Any and all special use permits, variances, or similar applied for or obtained in 2022-23 in connection with the property known as 700 Larsen Lane, Bensenville, IL by GGF, Inc. or other occupants."

Your FOIA is hereby granted in full with the enclosed records. No redactions have been made.

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 James S. Cerami - Cerami Law
Address 1s450 Summit Ave. Ste. 325
Oakbrook Terrace, IL 60181
Phone 630-424-9779
E-Mail James@CeramiLaw.com

13286

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

Any and all special use permits, variances, or similar applied for or obtained in 2022-23 in connection with the property known as

700 Larsen Lane, Bensenville, IL by GGF, Inc. or other occupants. Thank you.

☐ 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.

5/6/23

Date

James S. Cerami
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.

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

5/8/23

Date Request
Received

5/15/23

Date Response
Due

5/22/23

Date Extended
Response Due

\$0-

Total Charges

5/8/23

Date Documents
Copied or Inspected

Received by Employee: _____

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

Ordinance No. 47-2022

**An Ordinance Granting Approval of a Special Use Permit for Truck Repair and
Variations for a New Distribution Business at 700 Larsen Lane, Bensenville, Illinois**

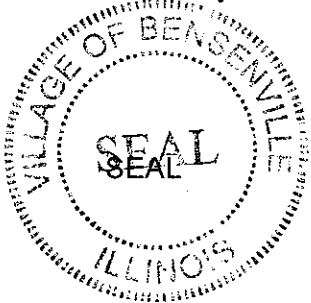
**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 15th DAY OF NOVEMBER 2022**


Published in pamphlet form by authority of the President and Board of Trustees of the Village of
Bensenville, DuPage and Cook Counties, Illinois this 16th day of November, 2022

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. 47-2022 entitled An Ordinance Granting Approval of a Special Use Permit for Truck Repair and Variations for New Distribution Business at 700 Larsen Lane, Bensenville, Illinois.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this
16th day of November 2022.





Corey Williamsen
Deputy Village Clerk

ORDINANCE # 47-2022

**AN ORDINANCE GRANTING APPROVAL OF A SPECIAL USE PERMIT FOR TRUCK
REPAIR AND VARIATIONS FOR A NEW DISTRIBUTION BUSINESS AT 700 LARSEN
LANE, BENSENVILLE, ILLINOIS**

WHEREAS, Larsen Enterprise, LP (“Owner”) of 760 Larsen Lane, Bensenville, IL 60106 and GGF Inc. (“Applicant”) of 700 Larsen Lane, Bensenville, IL 60106, filed an application for Special Use Permit, Municipal Code Section 10-7-2-1 of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”), Variation, Outdoor Storage Area Height, Municipal Code Section 10-7-3X-2, of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”), and Variation, Outdoor Storage Area Screening Requirements, Municipal Code Section 10-9-7B-2, of the Bensenville Village Zoning Ordinance (“Zoning Ordinance”), for the property located at 700 Larsen Lane, 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 Special Use Permit (Truck Repair), Variation (Outdoor Storage Area Height), and Variation (Outdoor Storage Area Screening Requirements), as sought by the Applicant was published in the Daily Herald on Thursday, October 13, 2022 by the Village of Bensenville, and notice was also given via posting of a Public Hearing Sign on the Subject Property on Friday, October 14, 2022, and via First Class mail to taxpayers of record within 250 feet of the Subject Property on Thursday, October 13, 2022, 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 1, 2022, 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 the Applicant, and thereafter, voted unanimously (5-0) to recommend approval with conditions of the Special Use Permit (Truck Repair), Municipal Code Section 10-7-2-1, Variation (Outdoor Storage Area Height), Municipal Code Section 10-7-3X-2, and Variation (Outdoor Storage Area Screening Requirements), Municipal Code Section 10-9-7B-2, and forwarded its recommendations, including the Staff Report and findings relative to the request, to the President and Board of Village Trustees, which concurred with the recommendations made therein, as are attached hereto and incorporated herein by reference as Exhibit "B"; and

WHEREAS, on November 15, 2022, the President and Board of Village Trustees have reviewed the matter herein and have determined that approval with conditions of the requested Special Use Permit (Truck Repair), Municipal Code Section 10-7-2-1, Variation (Outdoor Storage Area Height), Municipal Code Section 10-7-3X-2, and Variation (Outdoor Storage Area Screening Requirements), Municipal Code Section 10-9-7B-2, as recommended by the Community Development Commission, are 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 1. That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. That the Subject Property is currently zoned under the Zoning Ordinance as I-2 General Industrial District, which zoning classification shall remain in effect subject to the Special Use Permit and Variations approved herein.

Section 3. That the Staff Report and Recommendations to approve with conditions the Special Use Permit (Truck Repair), Variation (Outdoor Storage Area Height), and Variation (Outdoor Storage Area Screening Requirements), as allowed by the Zoning Ordinance, Sections 10-7-2-1, 10-7-3X-2, and 10-9-7B-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 Special Use Permit and Variations are proper and necessary.

Section 4. That the Special Use Permit, Truck Repair, Municipal Code Section 10-7-2-1, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) The Special Use Permit be granted solely to GGF, Inc. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants 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 lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
- 2) Applicant must coordinate with staff to obtain permit and install triple catch basin within subject property primary structure; and
- 3) All repair work shall be performed inside of the primary structure.

Section 5. That the Variation, Outdoor Storage Area Height, Municipal Code Section 10-7-3X-2, as sought by the Applicant of the Subject Property, is hereby approved.

Section 6. That the Variation, Outdoor Storage Area Screening Requirements, Municipal Code Section 10-9-7B-2, as sought by the Applicant of the Subject Property, is hereby approved with the following conditions:

- 1) Applicant must obtain a permit to complete striping of proposed outdoor storage area. Applicant must coordinate with staff to create a striping plan that adheres to village code standards; and
- 2) All trucks awaiting repair must be stored within the rear yard south of the south façade of the primary structure.

Section 7. That all requirements of the Zoning Ordinance shall be applicable except as allowed by the Special Use Permit and Variations approved herein.

Section 8. All ordinances, resolutions, motions, or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 9. 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, DuPage and Cook Counties, Illinois, this 15th day of November 2022, pursuant to a roll call vote, as follows:

APPROVED:



Frank DeSimone Village President

ATTEST:



Nancy Quinn, Village Clerk

AYES: Franz, Frey, Lomax, Panicola

NAYES: None

ABSENT: Carmona, Perez

Ordinance # 47 - 2022
Exhibit "A"

The Legal Description is as follows:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF LAWRENCE AVENUE AND THE EAST LINE OF LOT 8; THENCE NORTHWESTERLY ALONG SAID CENTERLINE 64.96 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY PARALLEL WITH SAID EAST LINE, A DISTANCE OF 187.60 FEET; THENCE SOUTHWESTERLY PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 100.00 FEET; THENCE NORTHWESTERLY PARALLEL TO SAID EAST LINE TO THE CENTERLINE OF LAWRENCE AVENUE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE TO THE POINT OF BEGINNING, EXCEPT THAT PART LYING NORTHERLY OF THE SOUTH LINE OF STATE AID ROUTE 26, PER DOCUMENT NO. 746022 RECORDED FEBRUARY 11, 1955, ALL IN THE ADDISON TOWNSHIP SUPERVISOR ASSESSMENT PLAT NO. 3, RECORDED AS DOCUMENT NO. 46108 DATED APRIL 15, 1944 IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1 AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11 IN TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

Commonly known as 700 Larsen Lane, Bensenville, IL 60106.

Ordinance # 47 - 2022
Exhibit "B"
Findings of Fact

Mr. Arquette reviewed the Findings of Fact for the proposed Special Use in the Staff Report consisting of:

- 1) **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed special use does not represent a health, safety, comfort, convenience, or general welfare concern for the public. All neighbors are already accustomed to this type of activity at the property, and it is at the end of a "dead end" street so it will not affect neighbors whatsoever.

- 2) **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed special use is compatible with the character of adjacent and nearby properties. There are already similar uses on the same multi-property parcel and all of the surrounding parcels are zoned for and used by industrial users.

- 3) **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed special use will not impede the development and improvement of adjacent properties. The property is located at the end of a dead-end street and does not interfere whatsoever with neighboring properties.

- 4) **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other 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.

Applicant's Response: None of these will be required. The property has been used as a truck terminal for many years with similar traffic

patterns and number of personnel. The only change will be the repair activity and the necessary plumbing to be code compliant.

- 5) **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Given the I-2 zoning and Special Use (if awarded), we are not aware of any inconsistency with the intent of the Comprehensive Plan, this title, or the land use policies of the Village.

Mr. Arquette reviewed the Findings of Fact for the proposed Variances in the Staff Report consisting of:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. Trailers will be parked in a safe manner, consistent with industry practices and according to village code.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: Many of the neighboring properties also have outside storage yards and the property has been used in this manner for many years without issue from the neighboring properties.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: If the Applicant is not granted the variation, it will have to park dozens of trailers offsite at a cost of +/- \$450 per trailer per month. This is an economic hardship that the Applicant cannot afford.

4. **Unique Physical Attributes:** The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The property has been used as a truck terminal and trailer parking yard for many years. The property will have little use without the proposed variation.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation does indeed represent the minimum deviation from the regulations of this title.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: We are not aware of any inconsistency with the intent of the Comprehensive Plan, this title, or other land use policies of the Village. The property has been used in this manner for many years and without substantial redevelopment it has no practical use without outside storage.

Mr. Arquette stated:

Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Special Use Permit, Truck Repair, at 700 Larsen Lane with the following conditions:

1. The Special Use Permit be granted solely to GGF, Inc. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants 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 lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit;
2. Applicant must coordinate with staff to obtain permit and install triple catch basin within subject property primary structure; and
3. All repair work shall be performed inside of the primary structure.

Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation to allow for a deviation from the Outdoor Storage Area Height Requirements.

Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation to allow for a deviation from the Outdoor Storage Area Screening Requirements with the following conditions:

1. Applicant must obtain a permit to complete striping of proposed outdoor storage area. Applicant must coordinate with staff to create a striping plan that adheres to village code standards; and
2. All trucks awaiting repair must be stored within the rear yard south of the south façade of the primary structure.

There were no questions from the Commission.

Motion: Commissioner Wasowicz made a motion to close CDC Case No. 2022-32. Chairman Rowe seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Chairman Rowe closed CDC Case No. 2022-32 at 7:14 p.m.

Motion: Commissioner King made a combined motion to approve the Findings of Fact and Approval of the Special Use Permit, Truck Repair, Municipal Code Section 10-7-2-1 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Wasowicz made a combined motion to approve the Findings of Fact and Approval of the Variation, Outdoor Storage Area Height, Municipal Code Section 10-7-3X-2 with Staff's Recommendations. Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Marcotte made a combined motion to approve the Findings of Fact and Approval of the Variation, Outdoor Storage Area Screening Requirements, Municipal Code Section 10-9-7B-2 with Staff's Recommendations. Commissioner Wasowicz seconded the motion.

ROLL CALL: Ayes: Rowe, Czarnecki, King, Marcotte, Wasowicz

Nays: None

All were in favor. Motion carried.

Ronald Rowe, Chairman
Community Development Commission



BENSENVILLE

GATEWAY TO OPPORTUNITY

Community Development Commission
Public Hearing 11.01.22

CDC Case #2022 – 32

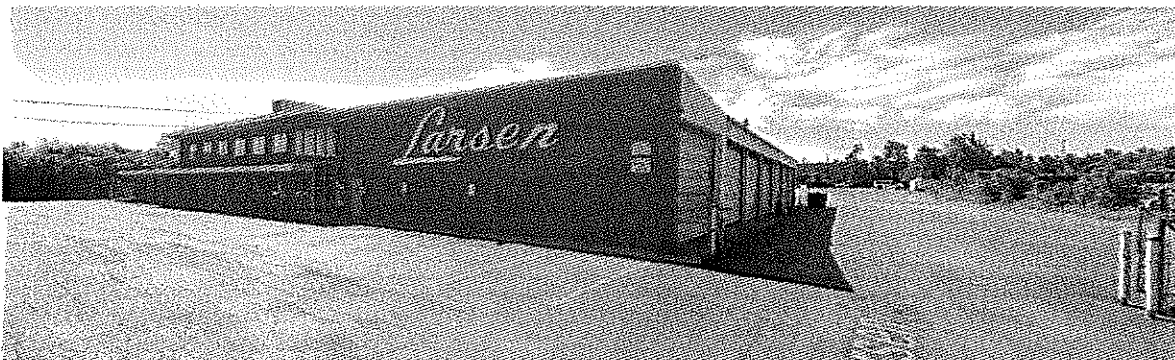
GGF Inc.
700 Larsen Lane

Special Use Permit, Truck Repair
Municipal Code Section 10 – 7 – 2 – 1

Variation, Outdoor Storage Area Height
Municipal Code Section 10 – 7 – 3X – 2

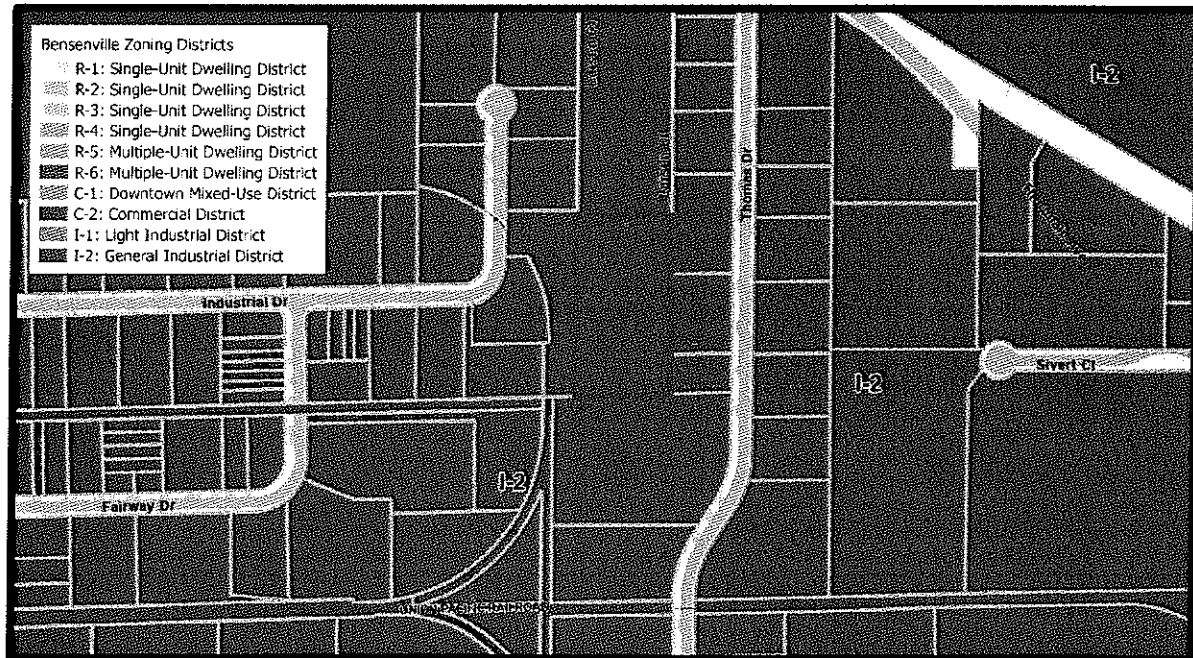
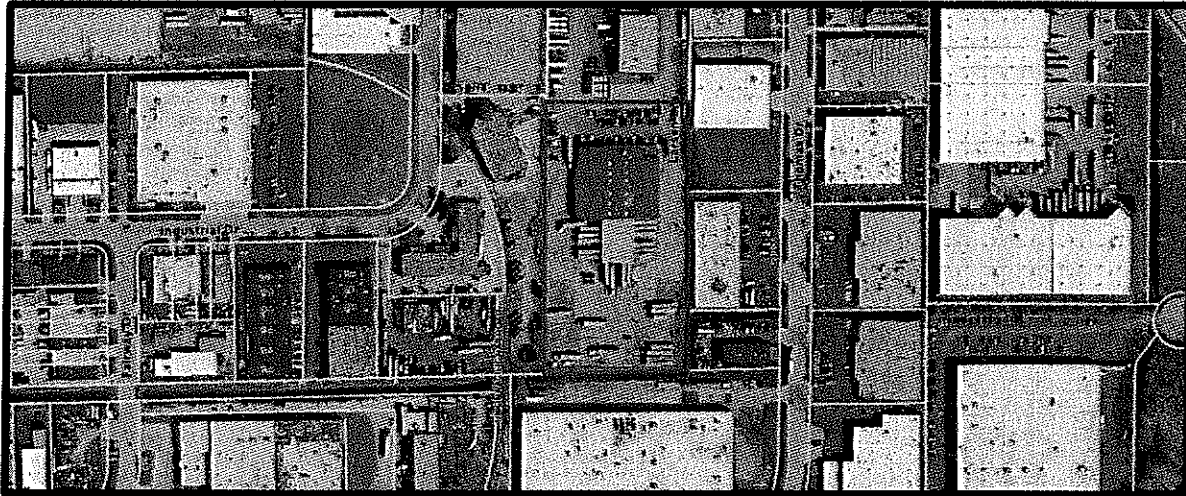
Variation, Outdoor Storage Area Screening Requirements
Municipal Code Section 10 – 9 – 7B – 2

1. Aerial Photograph & Zoning Map of Subject Property
2. Legal Notice
3. Application
4. Staff Report & Exhibits
5. Plans





Village of Bensenville



**LEGAL NOTICE/PUBLIC NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Meeting of the Community Development Commission of the Village of Bensenville, DuPage and Cook Counties, will be held on Tuesday, November 1, 2022 at 6:30 P.M., at which a Public Hearing will be held to review case No. 2022 - 32 to consider a request for:

Special Use Permit, Truck Repair
Municipal Code Section 10 – 7 – 2 – 1

Variation, Outdoor Storage Area Height
Municipal Code Section 10 – 7 – 3X – 2

Variation, Outdoor Storage Area Screening Requirements
Municipal Code Section 10 – 9 – 7B – 2

At 700 Larsen Lane in an existing I-2 General Industrial District. The Public Hearing will be held in the Village Board Room at Village Hall, 12 S. Center Street, Bensenville.

The Legal Description is as follows:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF LAWRENCE AVENUE AND THE EAST LINE OF LOT 8; THENCE NORTHWESTERLY ALONG SAID CENTERLINE 64.96 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY PARALLEL WITH SAID EAST LINE, A DISTANCE OF 187.60 FEET; THENCE SOUTHWESTERLY PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 100.00 FEET; THENCE NORTHWESTERLY PARALLEL TO SAID EAST LINE TO THE CENTERLINE OF LAWRENCE AVENUE; THENCE SOUTHEASTERLY ALONG SAID CENTERLINE TO THE POINT OF BEGINNING, EXCEPT THAT PART LYING NORTHERLY OF THE SOUTH LINE OF STATE AID ROUTE 26, PER DOCUMENT NO. 746022 RECORDED FEBRUARY 11, 1955, ALL IN THE ADDISON TOWNSHIP SUPERVISOR ASSESSMENT PLAT NO. 3, RECORDED AS DOCUMENT NO. 46108 DATED APRIL 15, 1944 IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1 AND THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11 IN TOWNSHIP 40 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

Commonly known as 700 Larsen Lane, Bensenville, IL 60106.

Larsen Enterprise, LP of 760 Larsen Lane, Bensenville, IL 60106 is the owner and GGF Inc of 700 Larsen Lane, Bensenville, Illinois 60106 is the applicant for the subject property.

Any individual with a disability requiring a reasonable accommodation in order to participate in any public meeting held under the authority of the Village of Bensenville should contact the Village Clerk, Village of Bensenville, 12 S. Center St., Bensenville, IL 60106, (630) 766-8200, at least three (3) days in advance of the meeting.

Applicant's application and supporting documentation may be examined by any interested parties in the office of the Community and Economic Development Department, Monday through Friday, in the Village Hall, 12 South Center Street, Bensenville, IL 60106. All interested parties may attend the Public Hearing and be heard. A link for electronic viewing will be posted on the Village website at least 48 hours prior to the meeting date. Written comments mailed to Village Hall, and online comments submitted on the Village website, will be accepted by the Community and Economic Development Department through November 1, 2022 until 5:00 P.M

Office of the Village Clerk
Village of Bensenville

**TO BE PUBLISHED IN THE DAILY HERALD
October 13, 2022**

Approval Standards for Variations

1. The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. Trailers will be parked in a safe manner, consistent with industry practices and according to village code.

2. The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Many of the neighboring properties also have outside storage yards and the property has been used in this manner for many years without issue from the neighboring properties.

3. The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

If the Applicant is not granted the variation, it will have to park dozens of trailers offsite at a cost of +/- \$450 per trailer per month. This is an economic hardship that the Applicant cannot afford.

4. The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

The property has been used as a truck terminal and trailer parking yard for many years. The property will have little use without the proposed variation.

5. The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

The proposed variation does indeed represent the minimum deviation from the regulations of this title.

6. The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

We are not aware of any inconsistency with the intent of the Comprehensive Plan, this title, or other land use policies of the Village. The property has been used in this manner for many years and without substantial redevelopment it has no practical use without outside storage.



STAFF REPORT

HEARING DATE: November 1, 2022
CASE #: 2022 – 32
PROPERTY: 700 Larsen Lane
PROPERTY OWNER: Larsen Enterprise, LP
APPLICANT: GGF, Inc.
SITE SIZE: 172,325 SF
BUILDING SIZE: 33,000 SF
PIN NUMBER: 03-11-200-048
ZONING: I – 2 General Industrial District
REQUEST: Special Use Permit, Truck Repair
Municipal Code Section 10 – 7 – 2 – 1
Variation, Outdoor Storage Area Height
Municipal Code Section 10 – 7 – 3X – 2
Variation, Outdoor Storage Area Screening Requirements
Municipal Code Section 10 – 9 – 7B – 2

PUBLIC NOTICE:

1. A Legal Notice was published in the Daily Herald on Thursday October 13, 2022. A Certified copy of the Legal Notice is maintained in the CDC file and is available for viewing and inspection at the Community & Economic Development Department during regular business hours.
2. Village personnel posted one Notice of Public Hearing sign on the property, visible from the public way on Friday, October 14, 2022.
3. On Thursday, October 13, 2022, Village personnel mailed from the Bensenville Post Office via First Class Mail a Notice of Public Hearing to taxpayers of record within 250' of the property in question. An Affidavit of Mailing executed by C & ED personnel and the list of recipients are maintained in the CDC file and are available for viewing and inspection at the Community & Economic Development department during regular business hours.

SUMMARY:

The Petitioner, GGF Inc., is seeking approval of a Special Use Permit in order to perform truck/trailer repair on their fleet in connection with the distribution use on the property. The petitioner also plans to utilize the southern portion of the site for trailer storage, and is requesting variations for outdoor storage over 8' in height within 20' of the lot lines and to be exempt from outdoor storage area screening requirements. The subject property features a structure with 24 interior docks, 14 exterior loading docks, and one proposed repair bay. Motor vehicle parking is located north of the existing structure, and the outdoor storage area for trailers is south of the existing structure. The outdoor storage area is surrounded by industrial uses on all three sides, and is setback at least 1,300' from the closest roadway (Thorndale Avenue).

SURROUNDING LAND USES:

	Zoning	Land Use	Comprehensive Plan	Jurisdiction
Site	I – 2	Industrial	Industrial	Village of Bensenville
North	I – 2	Industrial	Industrial	Village of Bensenville
South	I – 2	Industrial	Industrial	Village of Bensenville
East	I – 2	Industrial	Industrial	Village of Bensenville
West	I – 2	Industrial	Industrial	Village of Bensenville

DEPARTMENT COMMENTS:*SUPPORTS THE FOLLOWING APPLICABLE VILLAGE GOALS:*

- ☐ Financially Sound Village
- ☐ Quality Customer Oriented Services
- ☒ Safe and Beautiful Village
- ☐ Enrich the lives of Residents
- ☐ Major Business/Corporate Center
- ☐ Vibrant Major Corridors

Finance:

- 1) Account up to date and no liens.

Police:

- 1) No Objections.

Engineering and Public Works:

- 1) No Comments

Community & Economic Development:Economic Development:

- 1) No Comments

Fire Safety:

- 1) No Comments

Building:

- 1) No Comments.

Planning:

- 1) The 2015 Comprehensive Plan indicates “Industrial” for this property.
- 2) The current zoning is I-2 General Industrial District.
- 3) The applicant is seeking a Special Use Permit to perform truck repair on their fleet of vehicles on the premises and Variations for outdoor storage requirements to operate their truck terminal and trailer parking business at 700 Larsen Lane.
 - a. Staff is supportive of the use at 700 Larsen Lane, but requires that the applicant comply with all building codes and stripes the outdoor storage space to align with

Village Code Standards. The current configuration of striping within the outdoor storage area is not acceptable.

- 4) Per Village Code Section 10-7-2-1: Truck Repair uses require Special Use Permit Approval in the I-2 General Industrial District.
 - a. The following specific use standards apply to Truck Repair uses:
 - i. Minimum Lot Area: The minimum lot area for a truck repair facility is one acre.
 - ii. Outdoor Storage: Disabled or inoperable trucks and those awaiting pick-up may be stored outdoors if the following conditions are met:
 1. Location: Outdoor storage of trucks is prohibited in the front yard and corner side yard.
 - a. Staff recommends that all trucks awaiting repair are limited to the rear yard south of the south façade of the primary structure.
 2. Screening: To the extent practicable, storage areas shall be screened from view of the street by building and/or landscape screening in accordance with the requirements of subsection 10-9-5B, "Parking Lot Perimeter Landscape", of this title.
 - a. Storage areas are significantly setback from the street, and screened by multiple buildings throughout the Larsen Lane Property.
 3. Storage Duration: Motor vehicle repair and/or service facilities may not store the same trucks outdoors for more than thirty (30) days.
- 5) The applicant proposes to utilize the southern portion of the property for outdoor storage of trailers for the business operation. Per Village Code Section 10-7-3X: Outdoor Storage Area: the following specific use standards apply:
 - a. Location: Outdoor storage areas shall be located on an improved surface in the interior side yard or rear yard.
 - b. Height: Materials stored in an outdoor storage area shall not exceed eight feet (8') in height within twenty feet (20') of any lot line.
 - i. The applicant proposed to store truck trailers along the perimeter of the south outdoor storage areas, which will exceed 8' in height within 20' of any lot line. The applicant is requesting a variation from this requirement.
 1. Staff is supportive of the variation, as the outdoor storage area is adjacent to the rear of industrial properties, and setback along the south lot line and at the southeast corner of the property via an existing creek.
 - c. Uses: Outdoor storage areas are allowed as an accessory use provided such areas do not occupy more than twenty five percent (25%) of the gross lot area.
 - i. The proposed outdoor storage area is considered an accessory use, as the applicant has proposed a total of 32,100 SF of storage area, which amounts to 18.6% of the total site.
 - d. Screening: The requirements of section 10-9-7, "Screening Requirements", of this title shall apply to outdoor storage areas. No stackable materials or goods shall be piled or stacked so that they are visible above the height of the screen.
 - i. The applicant is requesting a variation to allow for screening requirements to be removed for this section of outdoor storage on the site.

- 6) The following screening requirements apply for the proposed outdoor storage use Per Village Code Section 10-9-7: Screening Requirements:
 - a. Opaque Fence Or Wall: The refuse area or outdoor storage area shall be completely screened by an opaque masonry wall or fence on three (3) sides, and an opaque gate on the fourth side. The wall of a principal structure may serve as a screening wall.
 - i. The proposed outdoor storage area is setback significantly from the north street frontage and is largely screened by the existing structure on the subject site. The applicant is requesting a variation from the requirement for an opaque fence on the west, south, and east sides of the outdoor storage area.
 1. Staff is supportive of the variation approval, as the subject area is located adjacent to the rear yards of neighboring properties and setback significantly from the roadway.

APPROVAL STANDARDS FOR SPECIAL USES:

- 1) **Public Welfare:** The proposed special use will not endanger the health, safety, comfort, convenience and general welfare of the public.

Applicant's Response: The proposed special use does not represent a health, safety, comfort, convenience, or general welfare concern for the public. All neighbors are already accustomed to this type of activity at the property, and it is at the end of a "dead end" street so it will not affect neighbors whatsoever.

- 2) **Neighborhood Character:** The proposed special use is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed special use is compatible with the character of adjacent and nearby properties. There are already similar uses on the same multi-property parcel and all of the surrounding parcels are zoned for and used by industrial users.

- 3) **Orderly Development:** The proposed special use will not impede the normal and orderly development and improvement of adjacent properties and other property within the immediate vicinity of the proposed special use.

Applicant's Response: The proposed special use will not impede the development and improvement of adjacent properties. The property is located at the end of a dead-end street and does not interfere whatsoever with neighboring properties.

- 4) **Use of Public Services and Facilities:** The proposed special use will not require utilities, access roads, drainage and/or other 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.

Applicant's Response: None of these will be required. The property has been used as a truck terminal for many years with similar traffic patterns and number of personnel. The only change will be the repair activity and the necessary plumbing to be code compliant.

- 5) **Consistent with Title and Plan:** The proposed special use is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: Given the I-2 zoning and Special Use (if awarded), we are not aware of any inconsistency with the intent of the Comprehensive Plan, this title, or the land use policies of the Village.

Truck Repair	Meets Standard	
Special Use Permit Approval Standards	Yes	No
1. Public Welfare	X	
2. Neighborhood Character	X	
3. Orderly Development	X	
4. Use of Public Services and Facilities	X	
5. Consistent with Title and Plan	X	

APPROVAL STANDARDS FOR VARIATIONS:

1. **Public Welfare:** The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public.

Applicant's Response: The proposed variation will not endanger the health, safety, comfort, convenience, and general welfare of the public. Trailers will be parked in a safe manner, consistent with industry practices and according to village code.

2. **Compatible with Surrounding Character:** The proposed variation is compatible with the character of adjacent properties and other property within the immediate vicinity of the proposed variation.

Applicant's Response: Many of the neighboring properties also have outside storage yards and the property has been used in this manner for many years without issue from the neighboring properties.

3. **Undue Hardship:** The proposed variation alleviates an undue hardship created by the literal enforcement of this title.

Applicant's Response: If the Applicant is not granted the variation, it will have to park dozens of trailers offsite at a cost of +/- \$450 per trailer per month. This is an economic hardship that the Applicant cannot afford.

4. Unique Physical Attributes: The proposed variation is necessary due to the unique physical attributes of the subject property, which were not deliberately created by the applicant.

Applicant's Response: The property has been used as a truck terminal and trailer parking yard for many years. The property will have little use without the proposed variation.

5. Minimum Deviation Needed: The proposed variation represents the minimum deviation from the regulations of this title necessary to accomplish the desired improvement of the subject property.

Applicant's Response: The proposed variation does indeed represent the minimum deviation from the regulations of this title.

6. Consistent with Ordinance and Plan: The proposed variation is consistent with the intent of the Comprehensive Plan, this title, and the other land use policies of the Village.

Applicant's Response: We are not aware of any inconsistency with the intent of the Comprehensive Plan, this title, or other land use policies of the Village. The property has been used in this manner for many years and without substantial redevelopment it has no practical use without outside storage.

Outdoor Storage Area Height	Meets Standard	
Approval Standards for Variations	Yes	No
1. Public Welfare	X	
2. Compatible with Surrounding Character	X	
3. Undue Hardship	X	
4. Unique Physical Attributes	X	
5. Minimum Deviation Needed	X	
6. Consistent with Ordinance and Plan	X	

Outdoor Storage Area Screening Requirements	Meets Standard	
Approval Standards for Variations	Yes	No
1. Public Welfare	X	
8. Compatible with Surrounding Character	X	
9. Undue Hardship	X	
10. Unique Physical Attributes	X	
11. Minimum Deviation Needed	X	
12. Consistent with Ordinance and Plan	X	

RECOMMENDATIONS:

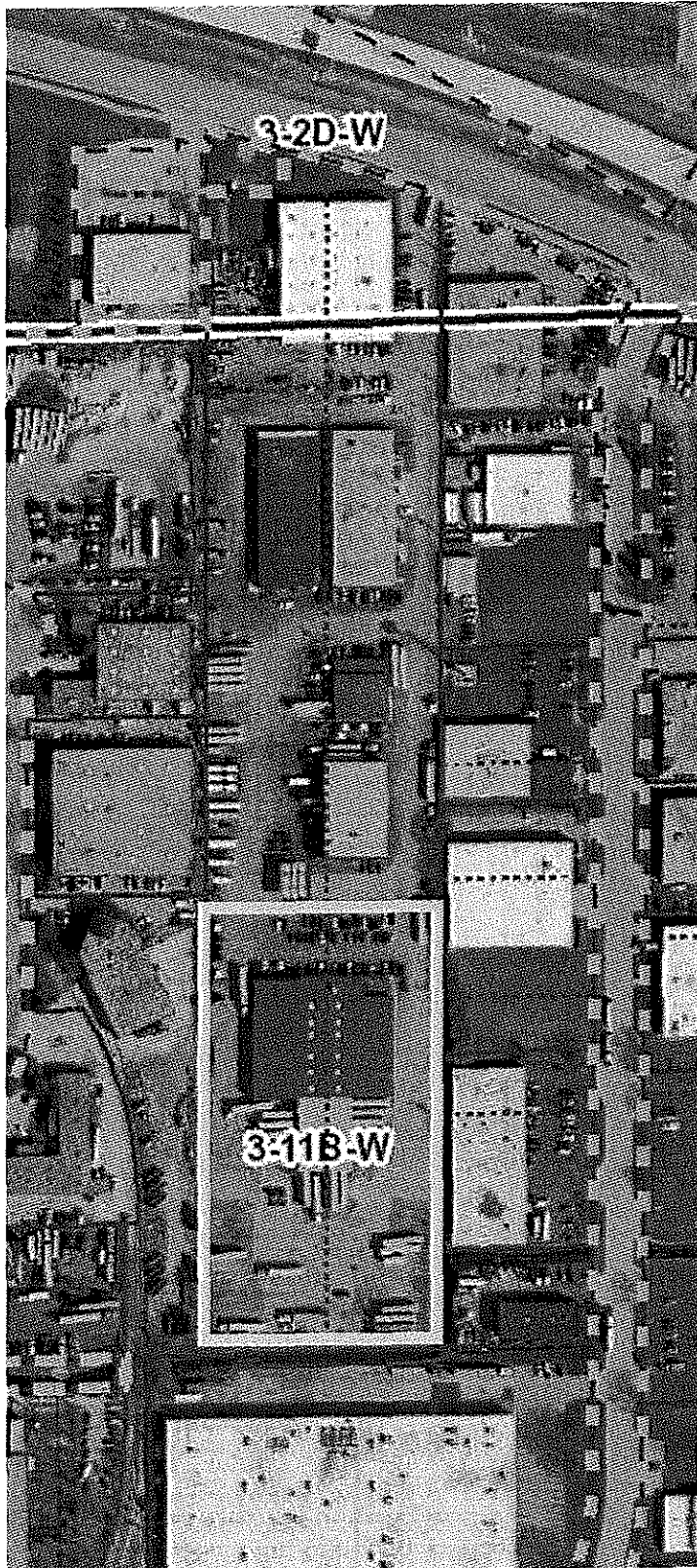
1. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Special Use Permit, Truck Repair, at 700 Larsen Lane with the following conditions:
 - a. The Special Use Permit be granted solely to GGF, Inc. and shall be transferred only after a review by the Community Development Commission (CDC) and approval of the Village Board. In the event of a re-occupancy of this property, the new occupants 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 lease and/or ownership to the new occupant without amendment to the Special Use Permit, or if the CDC deems that the new occupant contemplates a change in use which is inconsistent with the Special Use Permit, the new occupant shall be required to petition for a new Public Hearing before the CDC for a new Special Use Permit; and
 - b. Applicant must coordinate with staff to obtain permit and install triple catch basin within subject property primary structure.
2. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation to allow for a deviation from the Outdoor Storage Area Height Requirements.
3. Staff recommends the Approval of the Findings of Fact and therefore the Approval of the Variation to allow for a deviation from the Outdoor Storage Area Screening Requirements with the following conditions:
 - a. Applicant must obtain a permit to complete striping of proposed outdoor storage area. Applicant must coordinate with staff to create a striping plan that adheres to village code standards; and
 - b. All trucks awaiting repair must be stored within the rear yard south of the south façade of the primary structure.

Respectfully Submitted,
Department of Community & Economic Development

The meeting for the Village of Bensenville CDC Public Hearing will take place on Tuesday, November 1, 2022. A representative must be present for this meeting. Final decision on the case will be made at the Village Board of Trustees meeting on Tuesday, November 15, 2022. A representative must be present for this meeting.

700 Larsen, Bensenville

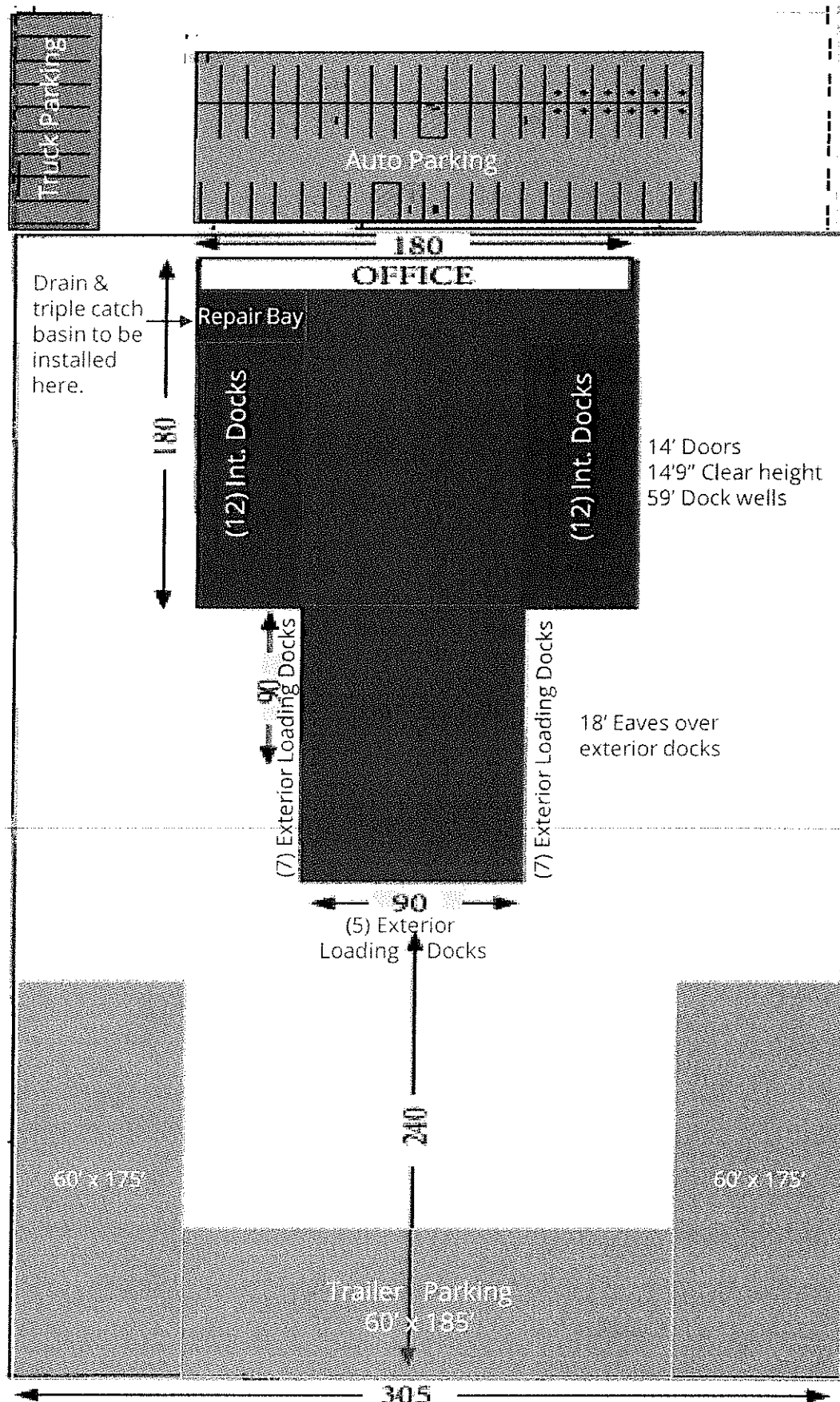
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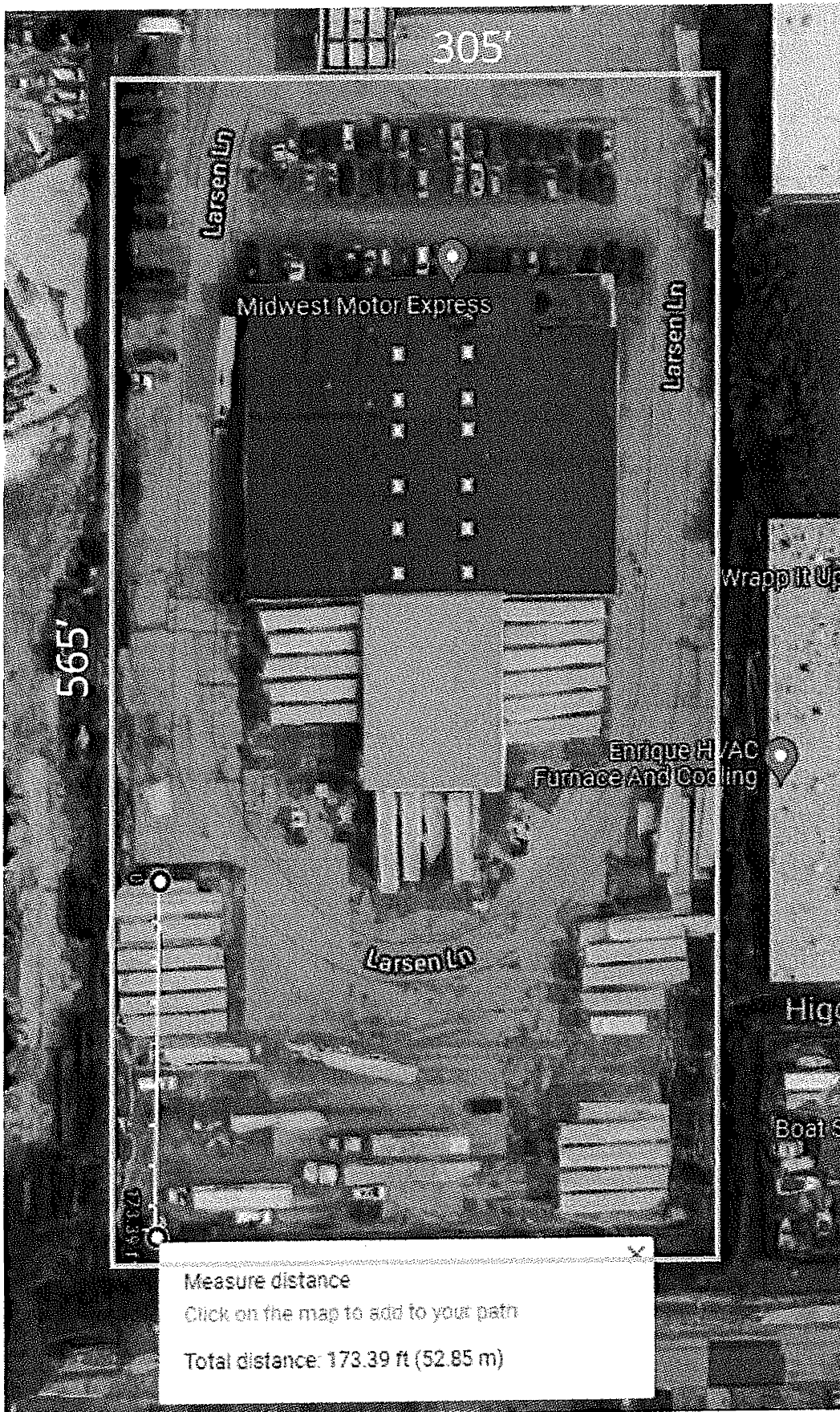


GGF Leased Area



700 Larsen, GGF Site Plan





Total Area Under lease=
 $565' \times 305' = 172,325 \text{ SF}$

Outside Storage Area =
 $60' \times 175' = 10,500 \text{ SF}$
 $60' \times 175' = 10,500 \text{ SF}$
 $60' \times 185' = 11,100 \text{ SF}$
Total = 32,100 SF

Storage/Total = 18.6%

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