



12 South Center Street
Bensenville, IL 60106

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

VILLAGE BOARD

October 31, 2023

President
Frank DeSimone

Board of Trustees
Rosa Carmona
Ann Franz
Marie T. Frey
McLane Lomax
Nicholas Panicola Jr.
Armando Perez

Village Clerk
Nancy Dunn

Village Manager
Evan K. Summers

Ms. Jolene Cash
1300 South Meridian Avenue, Suite 400
Oklahoma City, Oklahoma 73108

Re: October 30, 2023 FOIA Request

Dear Ms. Cash:

I am pleased to help you with your October 30, 2023 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on October 30, 2023. You requested copies of the items indicated below:

"Please provide copies of open/active zoning, building, and fire code violations; variances, special/conditional use permits, a final approved site plan, and certificates of occupancy on file for the property at 656-674 County Line Road."

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

- 1) Village of Bensenville Correction Notice for 656 County Line Road. (1 pg.)
- 2) Village of Bensenville Correction Notice for 674 County Line Road. (1 pg.)
- 3) Village of Bensenville Ordinance No. 37-2016. (9 pgs.)

These are all the records found responsive to your request.

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 Jolene Cash

Address 1300 S Meridian Ave Suite 400

141528
Oklahoma City, OK 73108

Phone 405-546-4591

E-Mail jolene.cash@pqr.com

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

Please provide copies of open/active zoning, building, and fire code violations; variances, special/conditional use permits, a final approved site plan, and certificates of occupancy on file for the property located at 656-674 County Line Road, Parcels: 0324-209021 and 03-24-401-005. Please do not exceed \$50.00 without prior approval. Thank you. (Our reference 169254-1). This request is NOT for a commercial purpose.



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.

10/30/2023

Date

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

10/30/23
Date Request Received

11/6/23
Date Response Due

11/13/23
Date Extended Response Due

\$0.00
Total Charges

11/31/23
Date Documents Copied or Inspected

Received by Employee: _____

Inspection Number

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

Type of Inspection: NON-RESIDENTIAL INSPECTION

CORRECTION NOTICE

Address: 656 COUNTY LINE ROAD

Unit: 656 Countyline Road Bensenville IL 60106

Business Name: 6 Generations

Phone: 847 455 1135

Property Owner: FILOSA, WAYNE P.

Address: 2940 COMMERCE Dr. Franklin Park IL 60131

Inspection Date: 10/30/2023

Inspector: DANIEL DREISBACH

Violation

VILLAGE REGULATIONS

Comment

Vehicles are not to be parked and are not permitted to occupy the Multi Use path located at 640 Countyline Road at any time. Any and all vehicles parked within the path will be immediately towed at the owner expense.

GARBAGE CORRAL REQUIRED

Trash dumpster is to be relocated from the Eastside of structure and is to be enclosed within an approved trash corral. Village permit and plan approval is required.

Additional Remarks/Comments:

Reinspection # 106089

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 VIOLATION WITHIN THE PRESCRIBED TIME CAN RESULT IN A FINE OF UP TO \$750 PER VIOLATION, PER DAY ASSIGNED BY A JUDICATOR.

You are hereby notified to remedy the conditions as stated above by 11-13-23.

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 630-350-3413.

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.

Copy of this report received by/mailed to: W. Filosa, 2940 Commerce Franklin Park IL 60131

DANIEL DREISBACH

Inspector

10/30/2023

Date



**VILLAGE OF BENSENVILLE
INSPECTIONAL SERVICES**

12 South Center
Bensenville, IL 60106
630-350-3413 fax:630-350-3449

Type of Inspection: NON-RESIDENTIAL INSPECTION

CORRECTION NOTICE

Address: 674 COUNTY LINE Unit:

Business name: ALL AROUND GYMNASTICS, INC. Phone: 708-258-5822

Business Owner: ALL AROUND GYMNASTICS, INC. Address: 674 SOUTH COUNTY LINE ROAD BENSENVILLE, IL

Inspection Date: 6-8-23 Inspector: DANIEL DREISBACH

<u>Checklist #</u>	<u>Violation</u>	<u>Violation comment</u>
005	VILLAGE REGULATIONS	2015 ICC Property Maintenance Code Sec. 302.8 "...No inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly..."

Additional Remarks/Comments:

Watercraft, utility trailer and camper must be licenced if stored on property. **2nd RE INSPECTION 6-15-23**

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 with 7 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 630-350-3413.

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.

674 Countyline Road Bensenville, IL

Copy of this report received by/mailed to:

Inspector: D. Dreisbach

Date: 6-8-23

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

Ordinance No. 37-2016

An Ordinance Concerning the Grant of a Conditional Use Permit to Allow an Indoor Athletic Facility for the Property Located at 674 County Line Road, Bensenville, Illinois

**ADOPTED BY THE
VILLAGE BOARD OF TRUSTEES
OF THE
VILLAGE OF BENSENVILLE
THIS 27th DAY OF SEPTEMBER, 2016**

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 September 2016

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. 37-2016 entitled an Ordinance Concerning the Grant of a Conditional Use Permit to Allow an indoor Athletic Facility for the Property Located at 674 County Line Road, Bensenville, Illinois

IN WITNESS WHEREOF, I have hereunto affixed my official hand and seal on this 28th day of September, 2016.




Corey Williamsen
Deputy Village Clerk

AN ORDINANCE CONCERNING THE GRANT OF A CONDITIONAL USE PERMIT
TO ALLOW AN INDOOR ATHLETIC FACILITY
FOR THE PROPERTY LOCATED AT 674 COUNTY LINE ROAD
BENSENVILLE, ILLINOIS

WHEREAS, Genosa Partners ("Owner") and All Around Gymnastics Inc. ("Applicant") have filed an application for a conditional use permit to allow the erection of an Indoor Athletic Facility in the I-1 Office, Research, Assembly Industrial District on property it owns located at 674 County Line Road, Bensenville, as legally described in Exhibit "A," attached hereto and incorporated herein by reference (the "Subject Property") pursuant to Section 10 9A - 3 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 I-1 Office, Research, Assembly Industrial 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 and Applicant was published in the *Bensenville Independent*, a newspaper of general circulation in the Village of Bensenville, on July 28, 2016, 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 August 15, 2016 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, to approve the application for conditional use permit to allow an Indoor Athletic Facility at the Subject Property subject to the following conditions. (1) The Conditional Use Permit be granted solely to All Around Gymnastics 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 change in tenancy of this 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 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 facility shall be developed in accordance with the plans submitted as a part of the application, (3)All Code Enforcement comments in the staff report shall be addressed at permit and before occupancy; and

WHEREAS, the Community Development Commission forwarded its recommendation to approve the application to the Village Board's Community and Economic Development Committee which, upon consideration of the matter, voted to approve the grant of 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 September 20, 2016; and

WHEREAS, the President and Board of Village Trustees considered the matter and determined, based on its consideration, voted to approve the conditional use permit 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 should be granted, the Owner, 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."

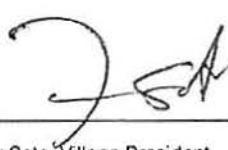
SECTION THREE: That the application submitted by the Owner seeking approval of a conditional use permit to allow an Indoor Athletic facility on the Subject Property is hereby granted, subject to the following conditions:

1. The Conditional Use Permit be granted solely to All Around Gymnastics 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 change in tenancy of this 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 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 facility shall be developed in accordance with the plans submitted as a part of the application.

3. All Code Enforcement comments in the staff report shall be addressed at permit and before occupancy.

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 27th day of September, 2016.



Frank Soto, Village President

ATTEST:



Ilsa Rivera-Trujillo, Village Clerk

AYES: Carmona, DeSimone, Jaworska, Majeski, O'Connell, Wessel

NAYES: None

ABSENT: None

Ordinance # 2016 - 37

Exhibit "A"

Legal Description

The Legal Description is as follows:

LOTS 10 AND 11 IN BLOCK 4 IN BENSENVILLE FARMS, A SUBDIVISION IN SECTION 24, TOWNSHIP 40 NORTH, RANGE 11 EAST, OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED NOVEMBER 7, 1923, BOOK 10 OF PLATS, PAGE 82 AS DOCUMENT NO. 171311, IN DUPAGE COUNTY, ILLINOIS.

The common address is 674 South County Line Road, Bensenville Illinois 60106,

PINs: 03 - 24 - 209 - 021 and 03 - 24 - 401 - 005

Ordinance # 37-2016

Exhibit "B"

Community Development Commission Findings of Fact / Recommendation

Motion: Commissioner Pisano made a motion to approve the Findings of
 Fact for the requested conditional use permit 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. All Around Gymnastics Inc. would not result in any adverse impact on traffic flow. During peak evening hours, 6:00 – 8:00 PM, we would expect no more than 25 cars passing through per hour.
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. As an indoor gymnastics facility, we would not produce excessive noise, glare, odor or have excessive waste disposal requirements.
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. We do not believe a children's gymnastics program would have any adverse effects on environmental quality, property values, or neighborhood character. Rather, neighborhood character will be improved with the additional activities available for children.
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 day to day functional

activities of the business would not put undue burden on the use of provided public services or facilities.

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. A full service competitive gymnastics facility is not available in Bensenville or the surrounding area. Additionally, gymnastics fosters personal growth, positive self-esteem, respect and an increase in physical health. With respect to the childhood obesity epidemic, and Bensenville's push towards a more healthy life style, our gymnastics facility would provide another opportunity to help increase awareness and opportunity for healthier living.
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. Any factors the Commission or public raise at the Public Hearing will be addressed at that time.

Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Moruzzi, Rowe, Pisano, Tellez, Marcotte

Nays: None

All were in favor. Motion carried.

Motion: Commissioner Rowe made a motion to approve the requested conditional use permit with Staff's recommendation consisting of:

1. The Conditional Use Permit be granted solely to All Around Gymnastics 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 change in tenancy of this 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 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 facility shall be developed in accordance with the plans submitted as a part of the application.
3. All Code Enforcement comments in the staff report shall be addressed at permit and before occupancy.

And the addition of:

4. A stop sign be installed on site for the vehicles exiting the property onto County Line Road.

Commissioner Marcotte seconded the motion.

ROLL CALL: Ayes: Moruzzi, Rowe, Pisano, Tellez, Marcotte

Nays: None

All were in favor. Motion carried.