



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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February 13, 2025

Ms. Keonia Jenkins
1300 South Meridian Avenue, Suite 400
Oklahoma City, Oklahoma 73108

Re: February 11, 2025 FOIA Request

Dear Ms. Jenkins:

I am pleased to help you with your February 11, 2025 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on February 11, 2025. You requested copies of the items indicated below:

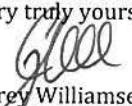
"Please provide a copy of Ordinance #95-2008 / Special Use Permit on file for the property located at: 500-510 Country Club Dr."

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

- 1) Village of Bensenville Ordinance No. 95-2008. (5 pgs.)

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 Keonia Jenkins

Address 1300 S Meridian Ave Ste 400
Oklahoma City, OK 73108

Phone 405-546-4460

E-Mail kjenkins@lightboxre.com

17760

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

Please provide a copy of the Ordinance #95-2008 / Special Use Permit on file for the property located at:

500-510 Country Club Dr (parcel: 03-11-308-040)

Please do not exceed \$25.00 in fees without prior approval. Thank you! (Our Ref# 178017-10)

☐ 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.

2/11/2025

Date

Keonia Jenkins

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

2/11/25

Date Request
Received

2/20/25

Date Response
Due

2/27/25

Date Extended
Response Due

\$0-

Total Charges

2/13/25

Date Documents
Copied or Inspected

Received by Employee: _____

ORDINANCE # 95-2008

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT FOR OUTDOOR
STORAGE AS AN ACCESSORY USE AND CERTAIN VARIANCES FROM THE
BENSENVILLE ZONING ORDINANCE
- CENTERPOINT PROPERTIES - 500-510 COUNTRY CLUB DRIVE**

WHEREAS, on or about October 10, 2008, CenterPoint Properties, (the "Applicant"), filed an application for a conditional use permit for outdoor storage as an accessory use and certain variances from the Bensenville Zoning Ordinance for the property commonly known as 500-510 Country Club Drive, Bensenville (the "Subject Property"), and legally described on Exhibit "A" attached hereto and incorporated herein by reference; a copy of said application is attached hereto as Exhibit "B" and is incorporated herein by this reference; and,

WHEREAS, Notice of Public Hearing with respect to the conditional use permit and requested variances was published on or about August 21, 2008, in the Bensenville Press, the same being a newspaper having general circulation within the Village of Bensenville, all as required by the statutes of the State of Illinois and the ordinances of the Village; a copy of said Notice is attached hereto as Exhibit "C" and incorporated herein by reference; and,

WHEREAS, pursuant to said Notice, the Community Development Commission of the Village of Bensenville conducted a Public Hearing on or about September 8, 2008, all as required by the statutes of the State of Illinois and the ordinances of the Village; and,

WHEREAS, on or about September 8, 2008, the Community Development Commission made certain recommendations and Findings of Fact and forwarded the same to the President and Board of Trustees, a copy of which is attached hereto as Exhibit "D" and incorporated herein.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bensenville, Counties of DuPage and Cook, Illinois, as follows:

SECTION ONE: That there is hereby granted a conditional use for outdoor storage as an accessory use on the Subject Property, subject to the following terms and conditions:

1. That all property maintenance issues identified in the Village Staff Report dated November 11, 2008, be corrected on or before May 11, 2009; a copy of said Staff Report is attached hereto as Exhibit "E", and is incorporated herein by reference; and,
2. That the area of said outdoor storage shall not exceed five thousand (5,000 sq. ft.) square feet; and,

3. That the outdoor storage area shall be located in strict accordance with the site plan prepared by Designhaus Architecture dated November 3, 2008, a copy of which is attached hereto as Exhibit "F" and is incorporated herein by reference; and,
4. That the outdoor storage area shall be used for the sole purpose of the parking of delivery trucks.

SECTION TWO: That the recommendations and Findings of Fact of the Community Development Commission previously incorporated herein as Exhibit "D" be and the same are hereby adopted by the President and Board of Trustees as and for its Findings of Fact, and the President and Board of Trustees further find with respect to the conditional use permit granted herein:

1. The impact of types or volumes of traffic flow are typical of permitted uses in the zoning district and the adverse impacts, if any, have been minimized; and,
2. Any effects of noise, glare, odor, dust, waste disposal, blockage of light or air or other adverse environmental effects are of a type or degree characteristic of permitted uses in the zoning district and the adverse impacts, if any, have been minimized; and,
3. The conditional use for outdoor storage as an accessory 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 zoning district have been minimized; and,
4. The conditional use for outdoor storage as an accessory use will not require existing community facilities or services to a degree disproportionate to that normally expected of permitted uses in the zoning 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; and,
5. The conditional use for outdoor storage as an accessory use 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.

SECTION THREE: That pursuant to Section 10-3-3 of the Zoning Ordinance, certain provisions thereof are hereby varied as follows:

1. The maximum radius a curb cut as set forth in Section 10-11-8-2-(E)(1) of the Zoning Ordinance is hereby varied from thirty-five feet (35') to forty-three feet and eight inches (35' 8"); and,
2. The required number of parking spaces as set forth in Section 10-11-11 of the Zoning Ordinance is hereby varied from one hundred ninety-seven (197) to forty-eight (48); and,
3. The prohibition of accessory outdoor storage within the required rear yard as set forth in Section 10-9B-4(B) of the Zoning Ordinance is hereby varied to permit said accessory outdoor storage therein.

SECTION FOUR: That the recommendations and Findings of Fact of the Community Development Commission previously incorporated herein as Exhibit "D" be and the same are hereby adopted by the President and Board of Trustees as and for its Findings of Fact, and the President and Board of Trustees further find with respect to the variances granted herein:

1. Special circumstances, as more fully set forth in the exhibits hereto, exist that are peculiar to the Subject Property and that do not apply generally to other properties in the zoning district, and that said circumstances are not of so general or recurrent in nature as to make it reasonable and practical to provide a general amendment to the Zoning Ordinance to cover them; and,
2. For reasons more fully set forth in the exhibits hereto, the literal application of the provisions of the Zoning Ordinance would result in unnecessary and undue hardship or practical difficulties for the Applicant as distinguished from mere inconvenience; and,
3. That said special circumstances and hardship relate only to the physical character of the Subject Property and the structure located thereon, and do not concern any business or activity that the present or prospective owner(s) or occupant(s) carries on therein, nor to the personal, business or financial circumstances of any party with an interest in the property; and,
4. That said special circumstances and practical difficulties and hardship have not resulted from any act, undertaken subsequent to the adoption of the Zoning Ordinance or any applicable amendment thereto, of the Applicant or of any other party with a present interest in the property; and,

5. Granting said variances is necessary for the Applicant to enjoy a substantial property right possessed by other properties in the zoning district and does not confer a special privilege ordinarily denied to such other properties; and,
6. Granting said variances is necessary not because it will increase the Applicant's economic return, although it may have said effect, but because without a variance the Applicant will be deprived of reasonable use or enjoyment of, or reasonable economic return from, the Subject Property; and,
7. Granting said variances does not alter the essential character of the locality nor substantially impair environmental quality, property values or public safety or welfare in the vicinity; and,
8. Granting said variances is in harmony with the general purpose and intent of the Zoning Ordinance and the general development plan and other applicable adopted plans of the Village, as viewed in light of any changed conditions since their adoption, and do not serve in effect to substantially invalidate or nullify any part thereof; and,
9. That the variances granted herein are the minimum required to provide the Applicant with relief from undue hardship or practical difficulties and with reasonable use and enjoyment of the Subject Property.

SECTION FIVE: That the relief granted in Section Three herein is expressly conditioned upon the following:

1. The Applicant shall correct the property maintenance issues, all as more fully specified in the Village Staff Report dated November 11, 2008 as previously incorporated herein as Exhibit "E", no later than May 11, 2009; and,
2. The Subject Property shall at all times be constructed, used, operated and maintained in accordance with the site plan previously incorporated herein as Exhibit "F"; and,
3. The Subject Property shall otherwise be, at all times, constructed, used, operated and maintained in accordance with the all provisions of the Bensenville Village Code.

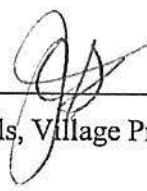
SECTION SIX: That the relief granted herein is expressly conditioned upon the Subject Property at all times being constructed, used, operated and maintained in accordance with all provisions of the Bensenville Village Code. Failure to so comply may result in the revocation of the relief provided for herein.

SECTION SEVEN: The terms and conditions set forth in this Ordinance are deemed to be a fundamental element of the relief granted herein, and are intended by the Village and the Applicant to run with the Subject Property and be binding upon any and all successors in interest to the Applicant.

SECTION EIGHT: 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 NINE: 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 2nd day of Dec, 2008.



John C. Geils, Village President

ATTEST:

Carole Crowe Mantia, Village Clerk

AYES: Adamowski, Johnson, Tralewski, Mandziara, Williams

NAYES: None

ABSENT: None