



Village Board Meeting July 21, 2016 6:00 p.m.

1. Call To Order

2. Roll Call

3. Pledge Of Allegiance

4. Open Forum

Participants are advised that the Open Forum procedure is a privilege and should not be abused. Upon completing an Open Forum request form and submitting it to the Village Clerk before the commencement of the meeting, participants will be recognized and given a chance to speak. The time limit to speak is 3 minutes. If deemed necessary by the Village Board, the matter may be referred to Village Staff or may be placed on a future agenda for Board consideration.

All participants are expected to exercise common courtesy and follow any rules of order established or announced by the Village Board and/or Mayor. Candidates for local public office may not use this forum for campaign purposes.

5. Reports

a. Board Reports

- Mayor
- Clerk
- Attorney
- Manager
- Trustees

*Background Of
Subject Matter*

*

Type

Discussion Only

6. Items To Be Removed From Consent Agenda

7. Consent Agenda (Omnibus Vote)

a. Village Board Minutes

i. Board Meeting Minutes

Board to consider approving the minutes of the Village Board meeting held July 7, 2016.

*Background Of
Subject Matter*

Required parliamentary procedure.

Type

Motion

Documents:

b. **Finance Ordinance**

i. **Finance Ordinance # 6**

Total to be announced at the meeting.

<i>Background Of Subject Matter</i>	*
<i>Type</i>	Motion

c. **Purchase Orders**

i. **PO 11039348**

Westmont Chamber of Commerce \$21,000.00

<i>Background Of Subject Matter</i>	Chamber External Funding/Tourism Promotion Services
<i>Type</i>	Purchase Order
<i>Budgeted</i>	Yes

Documents:

[PO 11039348.PDF](#)

ii. **Total Of Purchase Orders**

\$ 21,000.00

<i>Background Of Subject Matter</i>	*
<i>Type</i>	Purchase Order

d. **Total Of Purchase Orders And Finance Ordinance**

Total to be announced at the meeting.

<i>Background Of Subject Matter</i>	*
<i>Type</i>	Motion

e. **Circus Hotel/Motel Grant Request**

Board to consider an ordinance awarding a Hotel/Motel Grant request in the amount of \$2,500 to the Westmont Lions for a circus.

<i>Background Of Subject Matter</i>	The Westmont Lions are promoting a circus, which is expected to draw large numbers of people to Westmont.
<i>Additional Background</i>	If the request is granted, there will be \$17,000 remaining for community-wide convention/tourism grants for FY 2016-17.
<i>Type</i>	Ordinance
<i>Budgeted</i>	Yes

8. **Unfinished Business**

9. **New Business**

a. **340 S Lincoln Street - Fence Variance**

Board to consider an ordinance requesting a Zoning Code Variance Request from Jean Skuble to allow a 5' solid fence in the side yard adjoining the street in the R-3 Single Family Detached Residence District.

Background Of Subject Matter Planning & Zoning Commission made a unanimous positive recommendation on July 13th. This does not set a precedent along 55th Street which has had many variance approvals for fences that are taller than what is permitted in the setback along a busy street.

Recommendation Planning & Zoning Commission noted the positive aesthetics of the fence, safety concerns for this resident who lives adjacent to a busy corridor, and that visibility would not be blocked.

Type Ordinance

Documents:

[340 S LINCOLN PZC PACKET.PDF](#)

b. **38 And 42 W Naperville Road - Automotive Garage**

Board to consider an ordinance approving the following requests from Dominic Tommasone in the B-2 General Business District:

1. Special Use permit request to allow the operation of an existing automotive garage at 38 West Naperville Road.
2. Special Use permit request to allow the expansion of an automotive garage to be located at 42 West Naperville Road.

Background Of Subject Matter Applicant requests a Special Use to establish approval for an automobile repair shop that has been in existence for more than 25 years & to expand into the adjacent building which he also owns.

Additional Background Planning & Zoning Commission made a unanimous positive recommendation at the 7/13 public hearing & EDC also made a unanimous positive recommendation at the July committee meeting (minutes are attached).

Recommendation Commission clarified existing screened outdoor storage onsite, & recommended better identification of parking for customers due to the existing open curb cuts and to avoid blocking the pedestrian sidewalk.

Type Ordinance

Documents:

[38-42 W NAPERVILLE PZC PACKET.PDF](#)

c. **Class B Tobacco License**

Board to consider an ordinance increasing the number of Class B tobacco licenses by one to accommodate a request from Tobacco and Vape Zone located at 213 East Ogden Avenue.

Background Of Subject Matter Owner Waleed Kisswani has requested the license in order to sell tobacco. Additionally, tobacco and "Vape" products will be sold.

Additional Background	"Vape" is the act of inhaling water vapor mixed with nicotine from a personal water vaporizer.
Recommendation	Staff is neutral and leaves the decision to the discretion of the Board.
Type	Ordinance
Budgeted	N/A

d. **2016 WFD Declare Item As Surplus Equipment**

Board to consider an ordinance declaring a Fire Department light trailer as surplus property.

Background Of Subject Matter	The property, consisting of a 1985 Allmand Brothers Maxi-lite III Light Trailer Model LD30.3CEM, Serial Number 860908, has outlived its useful life, is outdated, poses a safety risk to use, or is otherwise not economically maintainable.
Additional Background	The trailer will be sold, donated, or scrapped as appropriate. Upon being declared surplus and disposed of, this property will be removed from the Village's property inventory.
Recommendation	Approve.
Type	Ordinance

10. Miscellaneous

11. Executive Session

This Board may adjourn to closed session to discuss matters so permitted and may act upon such matters upon returning to open session.

12. Adjourn

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact the ADA Compliance Officer, 9:00 A.M. to 5:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559; or telephone (630) 981-6210 voice, within a reasonable time before the meeting.

Clerk's Office
Village of Westmont

MINUTES OF THE BOARD MEETING HELD **Thursday, July 7th, 2016.**

Mayor Gunter called the meeting to order at **6:00 P.M.**

WESTMONT VILLAGE BOARD MEETING ROLL CALL:

PRESENT:	Mayor Gunter	<u>P</u>	Clerk Szymski	<u>P</u>
TRUSTEES:	Addington	<u>P</u>	Barker	<u>P</u>
	Barry	<u>P</u>	Guzzo	<u>A</u>
	Liddle	<u>P</u>	Nero	<u>P</u>

STAFF:

May (Village Mgr)	<u>P</u>	Parker (Finance Director)	<u>P</u>	Ziegler (Community Development Director)	<u>P</u>
Crane (H.R. Director)	<u>A</u>	McIntyre (Communication Director)	<u>P</u>	Liljeberg (I.T. Manager)	<u>P</u>
Chief Mulhearn (Police Dept.)	<u>P</u>	Dep. Chief Brenza (Police Dept.)	<u>A</u>	Dep. Chief Gunther (Police Dept.)	<u>P</u>
Chief Weiss (Fire Dept.)	<u>P</u>	Dep. Chief Riley (Fire Department)	<u>P</u>	Ramsey (P.W. Director)	<u>P</u>
Dralle (EMS Director)	<u>A</u>	Mielcarski (Admin. Assistant)	<u>A</u>	Richards (Deputy Clerk)	<u>A</u>

ATTORNEY: Zemenak P Perez A

A QUORUM WAS PRESENT TO TRANSACT BUSINESS.

PRESS:

Chicago Tribune	<u>A</u>	Independent: Daniel Smrokowski	<u>A</u>
Bugle	<u>A</u>		

CHAMBER OF COMMERCE DIRECTOR: Forssberg - P

VISITORS: Julia Coen, Westmont Public Library

THOSE PRESENT RECITED THE PLEDGE OF ALLEGIANCE.

OPEN FORUM:

- None.

VOTING KEY: A=ABSENT AB=ABSTAIN N=NO W=Withdrawn
 P=PRESENT Y=YES V=VACATION

Note: *The items listed in these minutes are summaries only and are not meant to be a direct transcript of the Mayor's, Manager's, Clerk's and Trustees' comments. For actual quotes of the referenced items please refer to the Archival video copy of this meeting.*

VOTING SUMMARY

	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>
TRUSTEE ADDINGTON	<u>Y</u>							
TRUSTEE BARKER	<u>Y</u>							
TRUSTEE BARRY	<u>Y</u>							
TRUSTEE GUZZO	<u>A</u>							
TRUSTEE LIDDLE	<u>Y</u>							
TRUSTEE NERO	<u>Y</u>							

REPORTS

Mayor Gunter

- Tim Radke was sworn in as a Sergeant. Police Chief Mulhearn spoke about what a great officer Tim Radke is and his accomplishments. His wife and children came up to congratulate him and take pictures. Tim, said he is honored to be an employee of this Village. He thanked the Officers and Commission. He thanked his family and the other officers. Chief Mulhearn also thanked the Commission for their work.
- Called Larry Forssberg up to the podium to talk about Star Talk for language and cultural studies.
- Larry Forssberg also talked about the two Taiwanese food booths at the Taste of Westmont.
- Recapped the 4th of July festivities at Ty Warner Park. Thank you to all staff, especially all of the volunteers including EMA, Firemen, Police, and Park District staff.

Clerk Szymski

- The fireworks show at Ty Warner park was amazing this year. It was fabulous, and we thank all of the volunteers.

Attorney Zemenak

- I will not be present at the next board meeting and Ann Marie Perez will be here in my place.

Village Manager May

- Nothing.

Trustee Addington

- Recapped the July 6th Economic Development Committee meeting. There were two new presentations. The first one is a medical massage therapy business. The second one was about Village Automotive and an expansion of their business. The next meeting will be held August 3rd.



westmont.il.gov

Village Clerk's Office

31 West Quincy Street • Westmont, Illinois 60559
Tel: 630-981-6220 Fax: 630-829-4441

- There is a new restaurant at the Hilton. The name of the restaurant is "B". It's a casual experience that serves seasonal food and drink.
- The Strategic Plan Committee will be meeting next Tuesday, July 12th at 10:00am.
- Please stop by the Lion's Booth at the Taste of Westmont.

Trustee Liddle

- The next Administration Committee meeting will be July 21st, 2016. We will be talking about social media. There will also be a presentation on the Sister City Program.
- Presented the Taste of Westmont poster, and if you want to volunteer please get in touch with the Westmont Special Events Corporation.
- Promoted the Westmont Street Fair on Thursdays through the beginning of August.

Trustee Nero

- Thanks to everyone. The fireworks display was awesome.
- Thanked the Westmont Special Events for putting on the Street Fair. It really is a great event. Encouraged all to come out and enjoy.
- Invited Robert Radcliff to the podium to promote an event the Burn Camp Fundraiser, Saturday, August 6th from 11:00 am - 3:00 pm. It's a really great charity. This will be the second annual event. There will be many events for kids, a band, and a raffle. Chief Weiss also spoke at the podium promoting the event as well.

Trustee Barker

- The next Community Development Committee meeting will be August 4th. Staff will be updating the permit fees and proposing a text amendment to the Village Board. There may also be some discussion on implementation measures from the Strategic Plan.
- Westmont First will have their next meeting at the Westmont Public Library on July 18th at 6:00pm.

Trustee Barry

- Thanked the volunteers for all of the hard work they do for our special events throughout town.
- The next Public Works Committee Meeting will be July 14th at the Water Department.
- The Richmond Education Garden is still going forward.

Trustee Guzzo

- Absent.

PUBLIC HEARING: FY2016 APPROPRIATIONS ORDINANCE

Board to conduct a public hearing for the Fiscal Year 2016-2017 Appropriations Ordinance.

- Opened Public Hearing at 6:27pm.
 - Finance Director Parker presented.
 - No public comment.
- Closed Public Hearing at 6:29pm.

ITEMS TO BE REMOVED FROM CONSENT AGENDA:

- There are no items requested to be removed from the consent agenda.

(1) CONSENT AGENDA [Omnibus Vote]:

Village Manager May addressed the Board on this agenda item.

Motion by **Trustee Liddle** to approve the consent agenda items A, B, C, D, & E.

(A) VILLAGE BOARD MINUTES:

Board to consider approving the minutes of the Village Board Meeting held June 23, 2016.

(B) FINANCE ORDINANCE # 05: Dated **July 7, 2016**, in the amount of
\$ 1,709,812.20

(C) MAY 2016 FINANCIAL REPORT

Board to consider a motion to accept the financial report submitted for the month of May 2016.

(D) WSEC FY 2016-17 HOTEL/MOTEL GRANT

Board to consider a motion awarding a Hotel/Motel Grant in the amount of \$10,000 to the Westmont Special Events Corporation.

(E) PARK DISTRICT HOTEL/MOTEL GRANT

Board to consider a motion awarding a Hotel/Motel Grant in the amount of \$5,000 to the Westmont Park District to assist in Holly Days and an additional community event.

Seconded by **Trustee Barker** and the motion passed.

VOTE ON MOTION #1

Ayes: Barry, Nero, Liddle, Barker, and Addington.

Nays: None.

Absent: Guzzo.

Present: None.

UNFINISHED BUSINESS

NEW BUSINESS

(2) FY 2016-17 APPROPRIATION

Finance Director Parker addressed the Board on this item.

Motion by **Trustee Nero** to consider an ordinance adopting the Fiscal Year 2016-2017 Appropriations Ordinance.

Seconded by **Trustee Addington** and the motion passed.

VOTE ON MOTION #2

Ayes: Barry, Liddle, Barker, Nero, and Addington.

Nays: None.

Absent: Guzzo.
Present: None.

(3) J. FLEMINGS ABSOLUTELY DELICIOUS - TEMPORARY TENT

Fire Chief Weiss and Attorney Zemenak addressed the Board on this item.

Motion by **Trustee Nero** to consider an ordinance revoking portions of Ordinance No. 10-48 concerning temporary approval as new regulations govern this tent use.

Seconded by **Trustee Liddle** and the motion passed.

VOTE ON MOTION #3

Ayes: Barry, Liddle, Nero, Barker, and Addington.
Nays: None.
Absent: Guzzo.
Abstain: None.

(4) ELECTRIC SUPPLY AGREEMENT

Village Manager May addressed the Board on this item.

Motion by **Trustee Liddle** to consider an ordinance approving an Electric Supply Agreement with Constellation for the purchase of electricity for municipal purposes.

Seconded by **Trustee Nero** and the motion passed.

VOTE ON MOTION #4

Ayes: Liddle, Nero, Barry, Barker, and Addington.
Nays: None.
Absent: Guzzo.
Present:None.

(5) AMENDMENTS TO FIRE CODE

Fire Chief Weiss and Assistant Director Schultz addressed the Board on this item.

Motion by **Trustee Addington** to consider an ordinance approving local amendments to the Fire Code regarding above-ground storage tanks for cooking oil.

Seconded by **Trustee Barker** and the motion passed.

VOTE ON MOTION #5

Ayes: Liddle, Nero, Barry, Barker, and Addington.
Nays: None.
Absent: Guzzo.

Present:None.

(6) AMENDMENTS TO INTERNATIONAL BUILDING CODE

Fire Chief Weiss addressed the Board on this item.

Motion by **Trustee Liddle** to consider an ordinance approving amendments to the 2012 International Building Code regarding standpipe systems.

Seconded by **Trustee Addington** and the motion passed.

VOTE ON MOTION #6

Ayes: Liddle, Nero, Barry, Barker, and Addington.

Nays: None.

Absent: Guzzo.

Present: None.

(7) EMPLOYEE HOLIDAY SCHEDULE

Village Manager May addressed the Board on this item.

Motion by **Trustee Liddle** to consider an ordinance to update Sec. 62-95 Holidays of the municipal code to include Martin Luther King Jr. Day to the holiday list.

Seconded by **Trustee Addington** and the motion passed.

VOTE ON MOTION #7

Ayes: Barry, Liddle, Barker, Nero, and Addington.

Nays: None.

Absent: Guzzo.

Present: None.

MISCELLANEOUS:

- None.

(8) ADJOURNMENT: Motion by **Trustee Barry** to adjourn the meeting. Seconded by **Trustee Nero** and the motion passed.

VOTE ON MOTION #8

Ayes: Nero, Barry, Liddle, Barker, and Addington.

Nays: None.

Absent: Guzzo

Present: None.

MEETING ADJOURNED AT 6:49 P.M.



westmont.il.gov

Village Clerk's Office

31 West Quincy Street • Westmont, Illinois 60559
Tel: 630-981-6220 Fax: 630-829-4441

ATTEST:

APPROVED:

Virginia Szymski, Village Clerk

Ronald J. Gunter, Mayor

Dated this 21st day of July, 2016.



VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
AGENDA ITEM

MEETING DATE: July 13, 2016

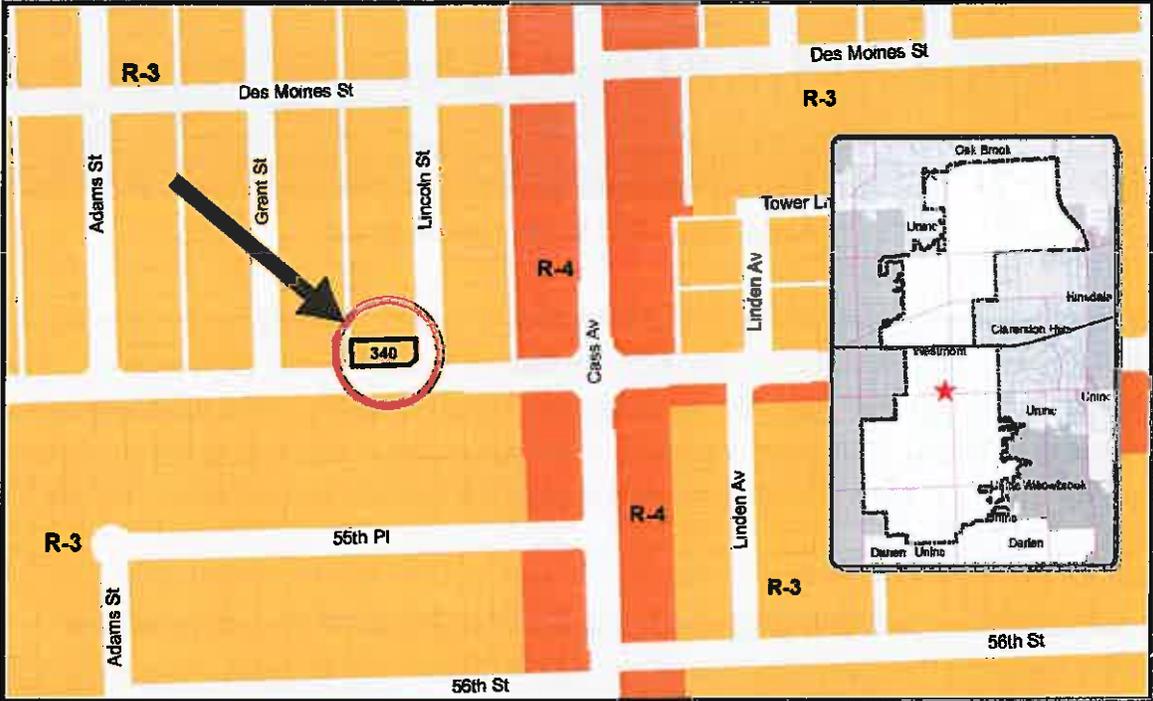
P/Z 16-014

TITLE: Jean Skuble regarding the property located at 340 South Lincoln Street , Westmont, IL 60559 for the following:

- (A) Zoning Code Variance Request to permit the construction of a 5' solid fence in the side yard adjoining the street in the R-3 Single Family Residential District.

BACKGROUND OF ITEM

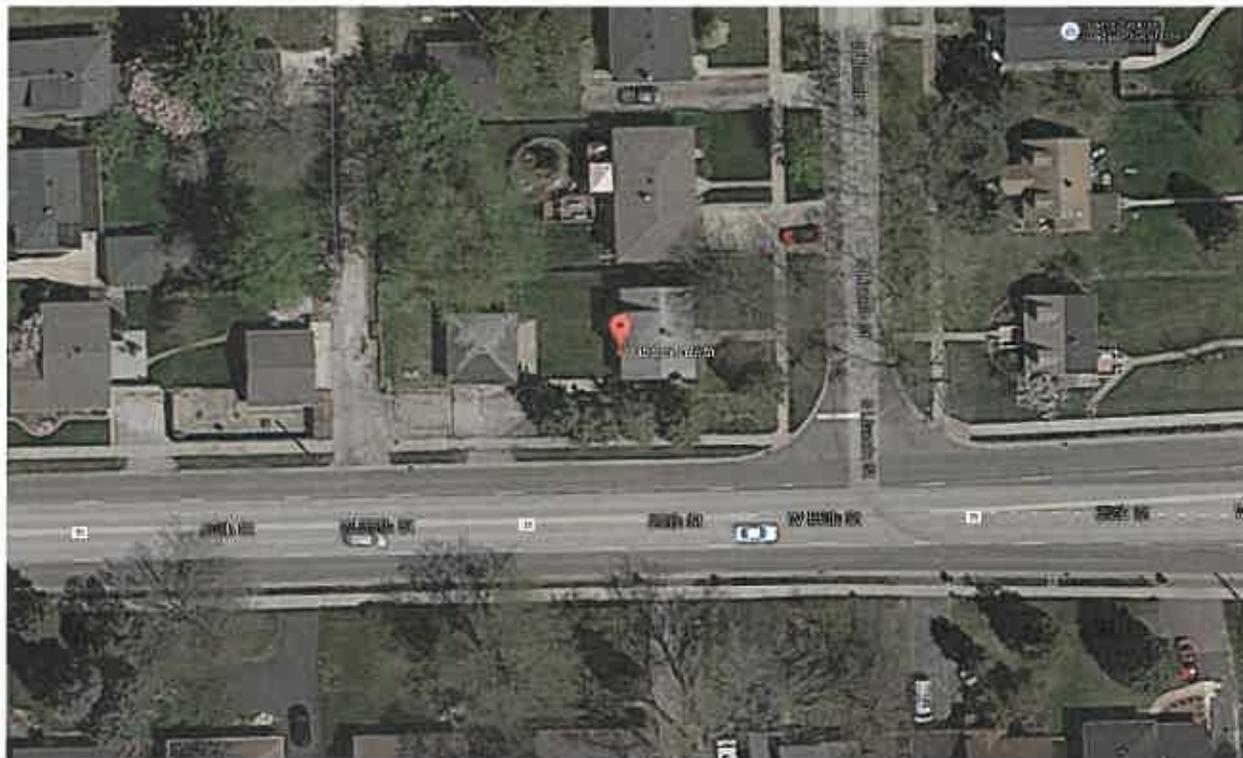
The subject lot is located on the northwest corner of South Lincoln Street and 55th Street, west of South Cass Avenue. Also known as a portion of Lot 10 in Block 27 in the Westmont subdivision, the lot is approximately 60' x 150' and is approximately 8,892 square feet or 0.20 acres.



Zoning map - 340 South Lincoln Street

The applicant has a corner lot abutting 55th Street, and would like to install a 5' cedar privacy fence adjacent to 55th Street along a portion of the back yard. No fence currently exists on the property, and the proposed installation would encroach into the required setback.

A text amendment was approved in 2012 which provided more flexibility to homeowners with corner lots who wanted to install privacy fences. Previously the code required a 35' setback on corner side lots, and the code was amended to allow a minimum of 15', as long as the fence was located behind the house.



Aerial Map - 340 South Lincoln Street

In this instance, the house is built at a 19.75' setback, therefore allowing the fence to be at 19.75' by code. The home does not have a back door to access the rear yard, and was alternately designed with a side door on the south side of the house with a small shielded patio and steps to the yard. With these conditions, a fence installed at the required setback would not permit unobstructed safe access without moving the fence to accommodate the side door access.

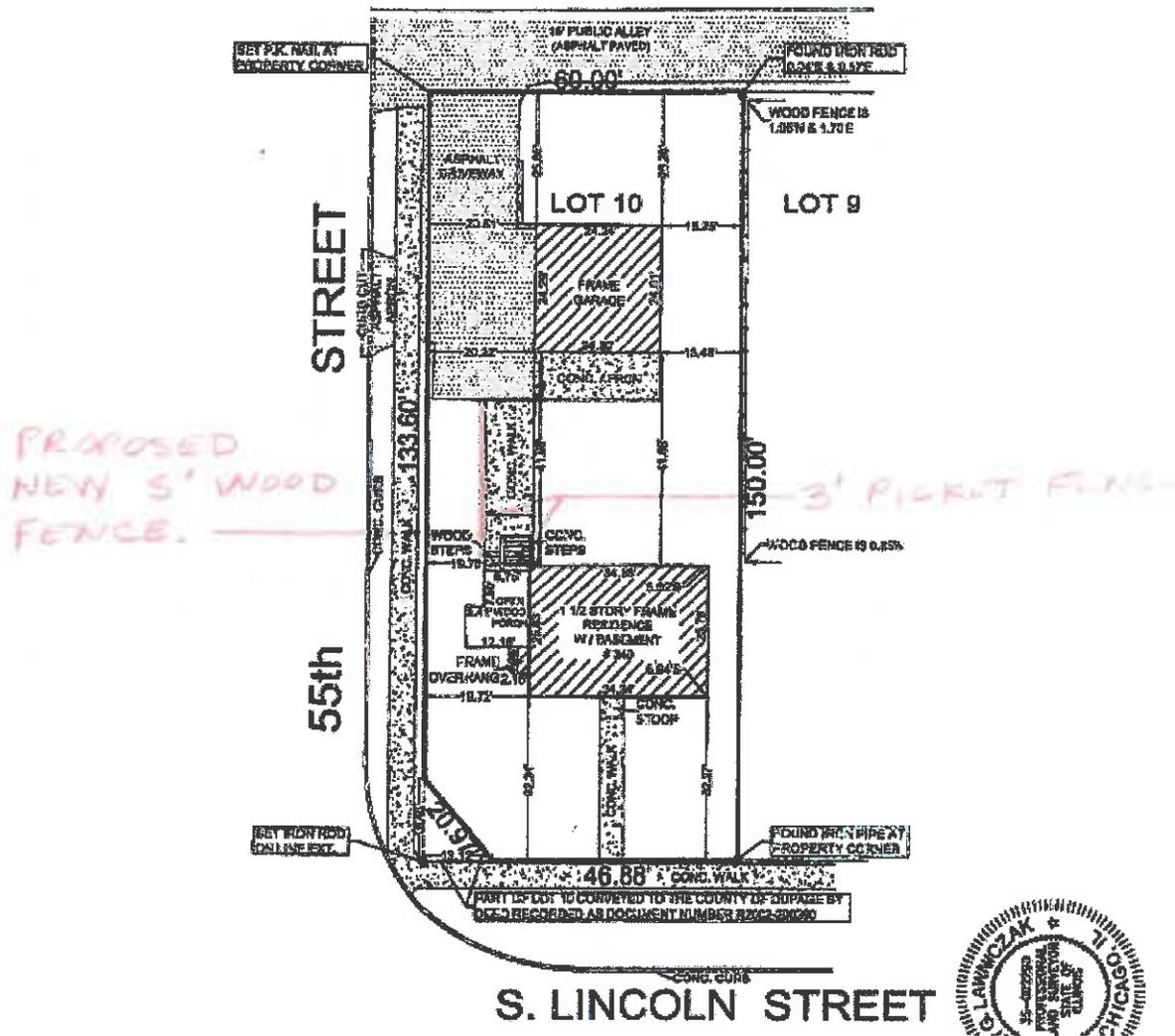
The homeowner would prefer to put the fence on the south side of the existing private sidewalk, between the sidewalk and existing trees. A fence in this location would allow access from the side/back door to the back yard and provide security as well as privacy. Staff notes that the applicant is not requesting the tallest fence possible, and would locate the fence 11' inside the property line. The most recent variance in proximity to this property was one block to the west, which as approved to be built at the property line and 6' in height.



Existing deck with surround conceals the side/rear door to the house.



Fence is proposed between existing pine trees and edge of private sidewalk.



ZONING ANALYSIS

The subject property is located in the R-3 Single Family Residence District, and properties on all sides are similarly zoned. The Zoning Ordinance does not allow 60" solid fences in the side yard adjoining a street to be within 15' of the property line and must be behind the house per Appendix A, Article IV, Section 4.05(E)(11). Similarly, code does permit fences up to the property line but limit the height to 30".

The applicants provided photos of other corner lots which have solid fences along the street property line (attached).

Standards for variations

(1) The Planning and Zoning Commission shall not recommend a variation unless it shall have made findings of fact based upon the evidence presented to it in each specific case that:

- (a)** The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;
- (b)** The plight of the owner is due to unique circumstances; and
- (c)** The variation, if granted, will not alter the essential character of the locality.

(2) For the purpose of implementing the above rules, the Planning and Zoning Commission shall also, in making its recommendations whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

- (a)** The particular physical surroundings, shape or topographical features of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- (b)** The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification.
- (c)** The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
- (d)** The alleged difficulty or hardship has not been created by the owner of the property.
- (e)** The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- (f)** The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.

In this proposal, the applicant states they cannot fully enjoy their rear yard without safe access. Other nearby properties that are not corner lots and not adjacent to 55th Street would not have similar applicable conditions. The fence installation should not be detrimental to the neighborhood and would be similar to other fences along 55th Street.

SUMMARY

The applicants request a variance to permit a 5' tall solid fence to encroach into the required side yard adjoining the street along 55th Street. The fence would be set far enough back

from the corner to avoid any line of sight issues from the intersection, and from the alley to the west. The fence is proposed 11' behind the public sidewalk, and would be partially concealed by existing trees.

DOCUMENTS ATTACHED:

1. Publication notice appearing in the June 29, 2016 Westmont Progress.
2. Application materials dated June 03, 2016, and associated attachments.
 - a. Plat of Survey indicating fence location, prepared by United Survey Service, LLC, dated February 17, 2016, .
 - b. Home Depot fence specifications.
 - c. Photos provided by applicant, undated.

SUBMITTED BY:

Jean Skuble

340 S Lincoln Street

Westmont, Il. 60559

REQUESTING VARIANCE FOR INSTALLATION OF 5' WOOD PRIVACY FENCE

Finding of facts for variance:

- A) I purchased this home knowing it was a busy corner. My intent from the beginning was to put up a fence for the safety of my grandchildren. My neighbors have a 5' privacy fence, I just figured I would install the same type fence. The value of my home is less because of being on a busy corner and not having a fence for safety.
- B) I care for my grandchildren at least twice a week. I have 7 grandchildren and 3 of them are 2 years old and run all over, as they should at that age. It is physically impossible for me on my own to watch them in the backyard, so we are confined to the house. I know I could get a 4-foot chain link, but I know my 2-year-old grandson would try climbing it.
- C) I have attached a picture of the fence I would like to have installed. It is a 5' wood privacy fence, called a tradition Fence, very nice looking fence. I feel it will add esthetic value to my home and the surrounding area.

I am respectfully asking the commission to grant the variance mainly because of the safety issue of my family. I also have dogs that will be kept safe. The other reasons, like privacy and sound barrier are 2nd by far to safety.

Attached:

1. Completed Application
2. Legal description forwarded to staff
3. Facts of findings (above)
4. Proof of ownership
5. Plat of survey
6. Pictures of home from different angles and photos of two homes with privacy fences at corner of Grant St. and 55th St.



UNITED SURVEY SERVICE, LLC

CONSTRUCTION AND LAND SURVEYORS

2100 N. 15th AVENUE, SUITE C, MELROSE PARK, IL 60160

TEL.: (847) 299 - 1010 FAX: (847) 299 - 5887 FAX: (224) 833 - 5048

E-MAIL: USURVEY@USANDCS.COM

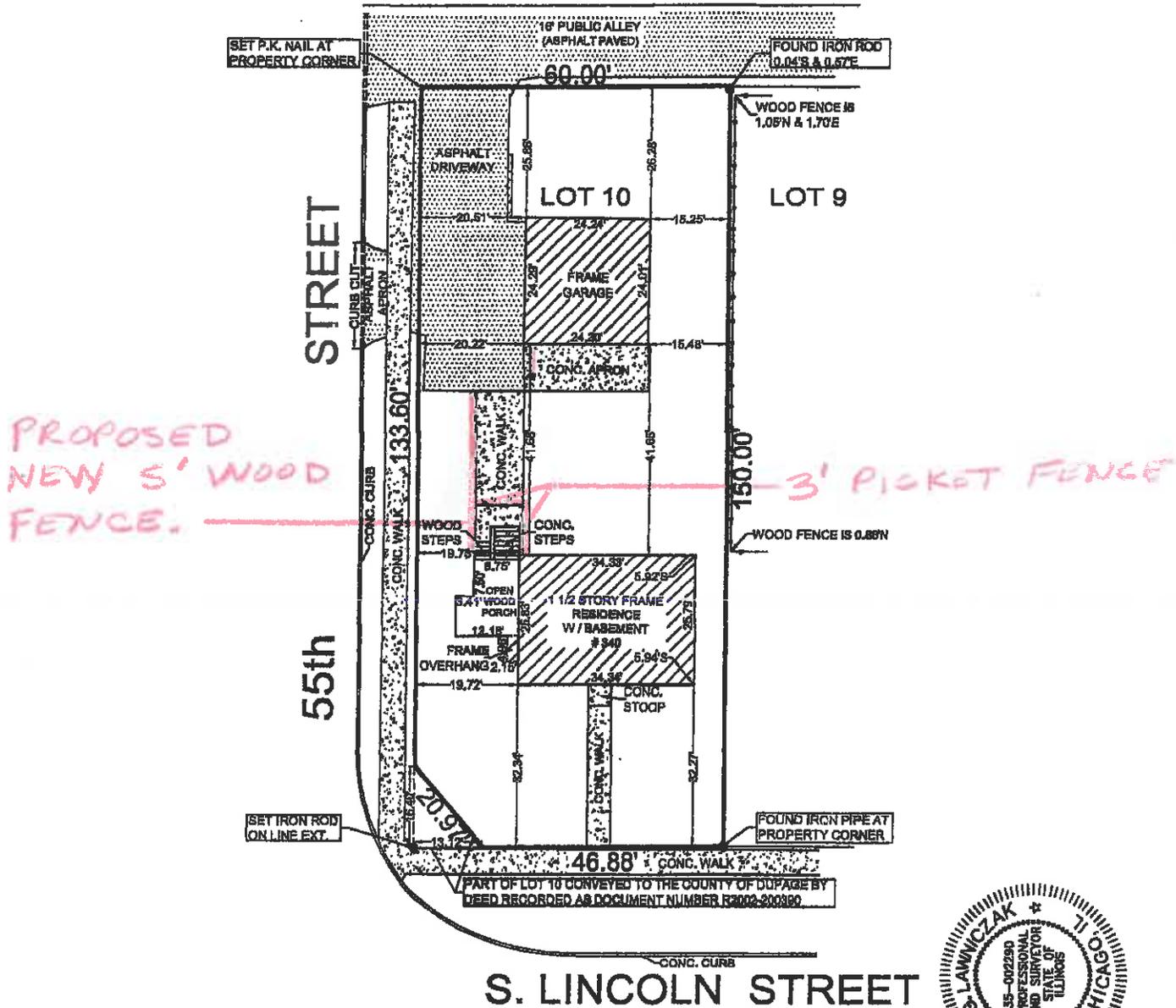
PLAT OF SURVEY

OF

THAT PART OF LOT 10 (EXCEPT THAT PART CONVEYED TO THE COUNTY OF DUPAGE BY DEED RECORDED AS DOCUMENT NUMBER R2002-200390) IN BLOCK 27 IN WESTMONT, BEING A SUBDIVISION OF THE SOUTHEAST 1/4 AND PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 16, 1921 AS DOCUMENT NO. 148502, IN DUPAGE COUNTY, ILLINOIS.

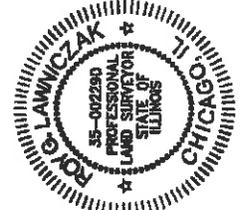
KNOWN AS: 340 S. LINCOLN STREET, WESTMONT, ILLINOIS

PERMANENT INDEX NUMBER: 09 - 09 - 427 - 021 - 0000



PROPOSED
NEW 5' WOOD
FENCE.

3' PICKET FENCE



NOTE: SURFACE DETAILS OBSCURED BY SNOW.

CHECK IN BOX MEANS THAT SURVEY HAS BEEN MADE FOR USE IN CONNECTION WITH A REAL ESTATE OR MORTGAGE LOAN TRANSACTION AND IS NOT TO BE USED FOR CONSTRUCTION.

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS OTHERWISE REFER TO YOUR DEED OR ABSTRACT. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

ORDERED BY:
REDA & DES JARDINS, LLC
DATE: FEBRUARY 17, 2016
SCALE: 1" = 20'
ORDER No.: 2016 - 23028

STATE OF ILLINOIS }
COUNTY OF COOK } SS
I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE LOCATED THE BUILDING ON THE ABOVE PROPERTY.

Roy G. Lawniczak
ROY G. LAWNICZAK, REG. LL. LAND SURVEYOR NO. 36 - 2280

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, ROY G. LAWNICZAK, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE CORRECTED TO A TEMPERATURE OF 88° FAHRENHEIT. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEY.

Roy G. Lawniczak
ROY G. LAWNICZAK, REG. LL. LAND SURVEYOR NO. 36 - 2280
PROFESSIONAL DESIGN FIRM LICENSE NO. 184-004876

In Addition to privacy I would like to put a picket fence to keep my grandchildren from playing around cement stairwell that leads to basement. Fun for them to play on but dangerous. I wasn't sure if I needed a variance for that.



This is a view of my home from the corner of Lincoln St and 55th looking west.

1st picture the proposed fence would not be visibly.

2nd picture is after you would turn the corner the fence would become visible



This is a view of the northeast corner of Grant St. and 55th St. an existing wood privacy fence.



This is a view of the northwest corner of Grant St. and 55th St. with an existing vinyl privacy fence.



This is a side view of my back yard and also a view from the alley side. Fence would be placed as illustrated. Would be placed 12' in from public sidewalk.





This is a picture of proposed fence.



**VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
AGENDA ITEM**

MEETING DATE: July 13, 2016

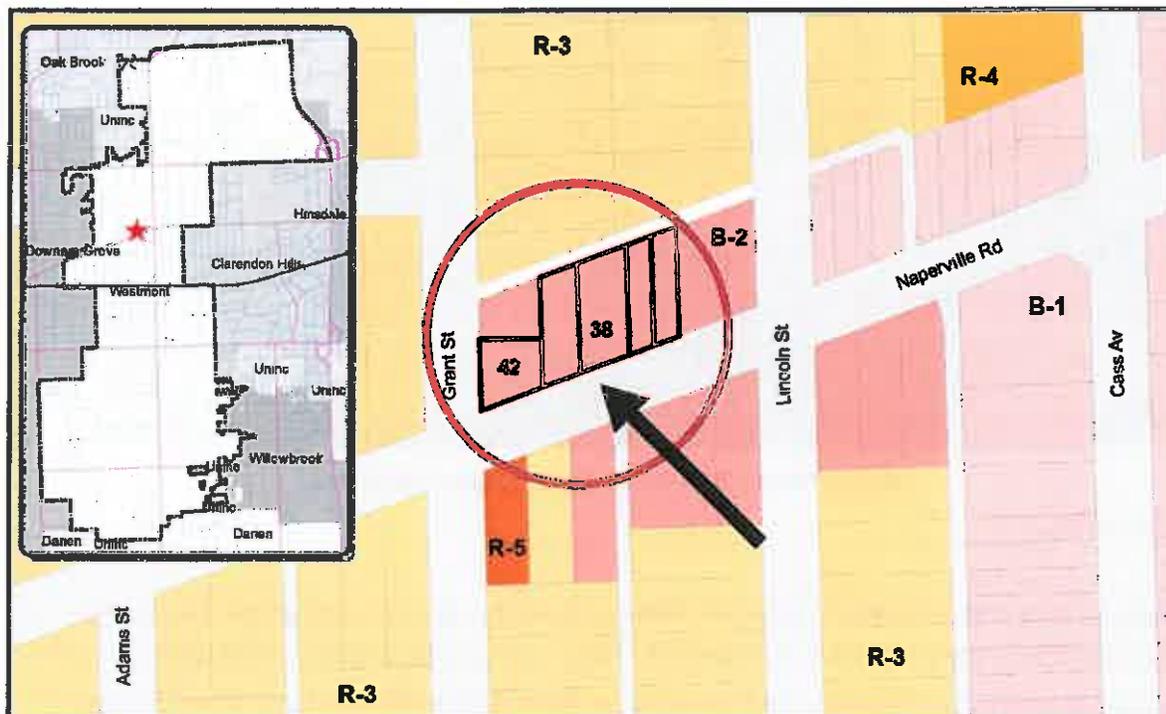
P/Z 16-016

TITLE: Dominic Tommasone regarding the properties located at 38 and 42 West Naperville Road, Westmont, IL 60559 for the following:

- (A) Special Use Permit request for an existing automotive garage located at 38 West Naperville Road in the B-2 General Business District with existing non-conforming exterior storage of vehicles awaiting service or customer pick-up.
- (B) Special Use Permit request for expansion of an automotive garage to be located at 42 West Naperville Road in the B-2 General Business District.

BACKGROUND OF ITEM

The subject lots are located on the northwest corner of West Naperville Road and North Grant Street. The two buildings are situated on five separate parcels and comprise a total of .56 acres.



Zoning Map - 38 and 42 West Naperville Road

A Special Use permit is required for automotive repair garages in the B-2 General Business District. The applicant seeks approval of a Special Use permit to both establish an approval for the existing repair shop at 38 West Naperville, and to expand the business to 42 West Naperville Road.

Village Automotive has operated for many years at its present location of 38 West Naperville Road. In addition to the repair facilities, a fenced storage lot exists to the rear of the property for both parking and storage of vehicles.

Until recently, 42 West Naperville Road had a small engine repair business that has recently vacated. The applicant has owned both properties for some time, and now wishes to expand the repair uses into the adjacent building. The building itself has repair bays from past operations as a gas station.



Aerial Map - 38 and 42 West Naperville Road

ZONING ANALYSIS

The subject property is located in the B-2 General Business District, and properties in the immediate vicinity vary from B-2, R-3 and R-5. The business expansion would abut all residential properties, but would be separated by both Naperville Road and Grant Street.

Appendix "A", Section 7.03(A)(8)(b) requires that all garages proposed in the B-2 General Business District receive a special use permit.

There is also an additional special use condition that the owner must satisfactorily establish that "Such special use may be permitted provided that there shall be compliance with an approved landscaping plan providing for the screening from view of vehicles awaiting service or customer pickup; or provided that there shall be enclosed storage of all vehicles awaiting service or customer pickup."

As this request is for both an established business and an expansion of that business, it is noted that the business at 38 West Naperville Road has existing outdoor storage for these vehicles that is screened with a fence. This would be considered legal non-conforming as current code standards would not permit any type of outdoor storage. The applicant has indicated that although 42 West Naperville has a fence storage area as well, it would only be utilized during business hours for pick-up and drop-off.

For approval, the use must meet the Special Use standards, which are:

Standards. A proposed special use shall substantially meet the following standards in order to obtain the recommendation of the planning and zoning commission and approval of the board of trustees:

- (1) That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
- (2) That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.
- (3) That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
- (4) That adequate utilities, access ways, drainage and/or other necessary facilities have been or are being provided.
- (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
- (6) That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the village board pursuant to the recommendation of the plan commission.

PARKING ANALYSIS

For the expansion, The tenant space for the proposed office measures approximately 1,155 square feet. Per Appendix A, Article X, Section 10.06(K)(4)(e)(10), Automobile garages require one parking space for each two employees and three for each automobile repair bay. With two

bays and an employee for each bay, 7 spaces would be required. With 3 striped spaces and the available paved area under the canopy and behind the building, more than seven vehicles can be accommodated. It would also be able to utilize the existing lot behind 38 West Naperville Road.



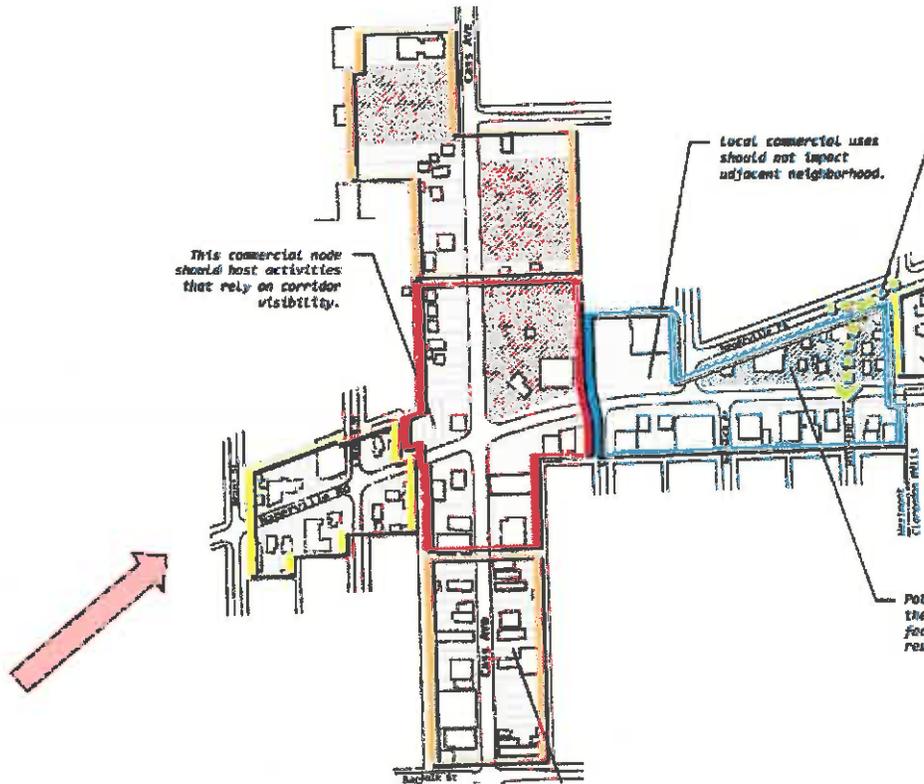
38 West Naperville Road - existing auto repair facilities



42 West Naperville Road - proposed expansion into building



42 West Naperville Road - parking and rear fenced area





38 West Naperville parking and storage

Staff does note that due to the pavement of the property abutting the sidewalks, particularly at 38 West Naperville Road, vehicles often park on the sidewalk before being relocated to the storage area. Staff recommends that the applicant stripe and clearly mark customer spaces, as well as signage or striping to prevent this parking. An alternative could be strategically placed planters as visual barriers that could add some much needed landscape to the front of the property.

The proposal received a positive recommendation from the Economic Development Committee at the July 06, 2016 meeting.

SUMMARY

A Special Use permit is required for automotive garages in the B-2 General Business District. Approval of the requested special use would both establish a permit for the existing business as well as the expansion into the adjacent building.

DOCUMENTS ATTACHED

1. Publication notice appearing in the June 29, 2016 edition of the Westmont Progress.
2. Application for public hearing dated June 03, 2016, and associated attachments.
 - a. Cover letter, submitted by Dominic Tommasone, dated June 20, 2106.
 - b. Plat of Survey for 38 West Naperville Road, prepared by Joseph M. DeCraene, dated April 07, 1993.
 - c. Plat of Survey for 42 West Naperville Road, prepared by Lambert and Associates, undated.
 - d. Aerial map, undated.



Village Automotive

June 20, 2016

To: Village of Westmont
Planning & Zoning Commission
31 W. Quincy Street
Westmont, IL 60559

Re: Village Automotive, Inc. – Special Use Permit
38 W. Naperville Road
Westmont, IL 60559

To whom it may concern,

My name is Dominic Tommasone. I am the proud owner of Village Automotive, Inc. located at 38 W. Naperville Road. Through my automotive business, I have proudly served the Westmont community for over 29 years. Along with my automotive business, I have also been an owner of two commercial properties also located in Westmont for a combined total of 37 years. Both of these properties, adjacent to each other, are Village Automotive at 38 West Naperville Road and Four Seasons Small Engine Repair at 42 West Naperville Road.

My knowledge and expertise in the automotive repair industry have been a great success to the Westmont community. Because of this success I now have the need to expand the business operations of Village Automotive. By expanding my business, it will create a total of four more jobs just in the first year and should expand the first twelve month's revenue by an additional 25 percent.

My request for a special use permit is to expand my automotive repair business into the existing small engine repair facility located at 42 W. Naperville. My case is a little different because I have an existing business and already have outdoor storage in a fenced in area at the back of 38 W. Naperville. I am simply asking permission for what already exists. My forward plan is to use the 42 West location as a light duty repair facility as well as the main customer

waiting area. The two existing bays in the 900 sq. ft. facility will be used as light duty repair only. There will be no main parking necessary for this property. The main parking will be located behind the adjacent 38 West lot. This plan will help alleviate the sight of congestion of our customers pulling up on the lot. The fenced in area behind 42 West will be a temporary pick-up and drop off area throughout our daily business.

As a part of my history as a Westmont Business, I would also like to share how many compliments I receive on a weekly basis by our neighbors on how nice and clean our automotive repair center is. I have not received a single complaint for clutter or uncleanliness since our existence. The appearance of the automotive shop will only improve once we are able to expand into the 42 West space.

As a Westmont board member, you may have noticed my buildings are like my children, I take care of them with great love. If you have lived here long enough, I am also sure you have seen the many positive changes I have made to my business over the years. Constant upkeep and maintenance have been my utmost goal in the entire duration I have existed as a thriving business here in Westmont.

In closing, I hope that you will allow this change not only for me, but for the community benefit of Westmont. I love and support the changes on Main Street over the past several years. The avenue of Naperville Road has been historic for automotive repairs and should remain so. Marathon Gas, Kubis Auto Body, Village Automotive and a historical old gas station (42 West) that still brings back memories to our community. Please help me improve our community by making it better visually and to create more jobs and tax revenue for all.

Sincerely,

A handwritten signature in black ink, appearing to read "Dominic Tommasone", written in a cursive style.

Dominic Tommasone

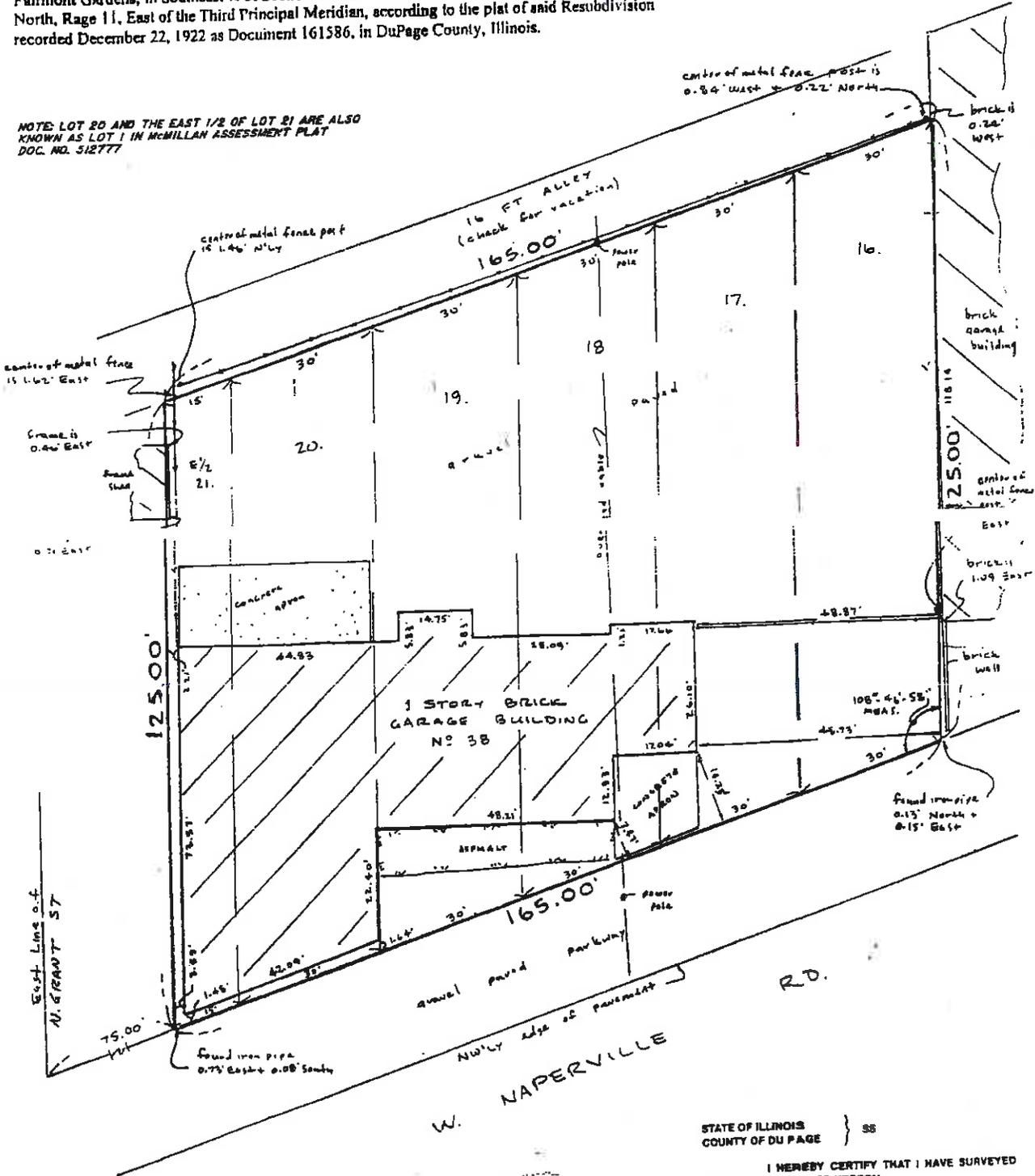
JOSEPH M. DE CRAENE
 ILLINOIS LAND SURVEYOR
 3700 SKYLINE DRIVE
 HINSDALE, IL 60521
 (630) 789-0896
 FAX (630) 789-0697

Plat of Survey



Parcel 1: Lots 16 & 17 in Block 2 of Resubdivision of Lots 8 to 27, both inclusive, in Block 8 in Arthur T. McIntosh & Company's Fairmont Gardens, in Southeast 1/4 of Section 4 & the Northeast 1/4 of Section 9, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Resubdivision recorded December 22, 1922 as Document 161586, in DuPage County, Illinois. Parcel 2: Lots 18, 19, 20, & the East 1/2 of Lot 21 in Block 2 of Resubdivision of Lots 8 to 27, both inclusive, in Block 8 in Arthur T. McIntosh & Company's Fairmont Gardens, in Southeast 1/4 of Section 4 & the Northeast 1/4 of Section 9, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Resubdivision recorded December 22, 1922 as Document 161586, in DuPage County, Illinois.

NOTE: LOT 20 AND THE EAST 1/2 OF LOT 21 ARE ALSO KNOWN AS LOT 1 IN McMILLAN ASSESSMENT PLAT DOC. NO. 512777



- NOTES:
- Check for encumbrances, building lines and other restrictions, if any, not shown hereon.
 - Check legal description hereon against deed.
 - Some corners may be approximate in certain areas, do not make them exact.
 - Compare all measurements shown before use.
 - Survey plat not to be used unless accompanied by original person or persons who made the survey or a copy of the original hereon.



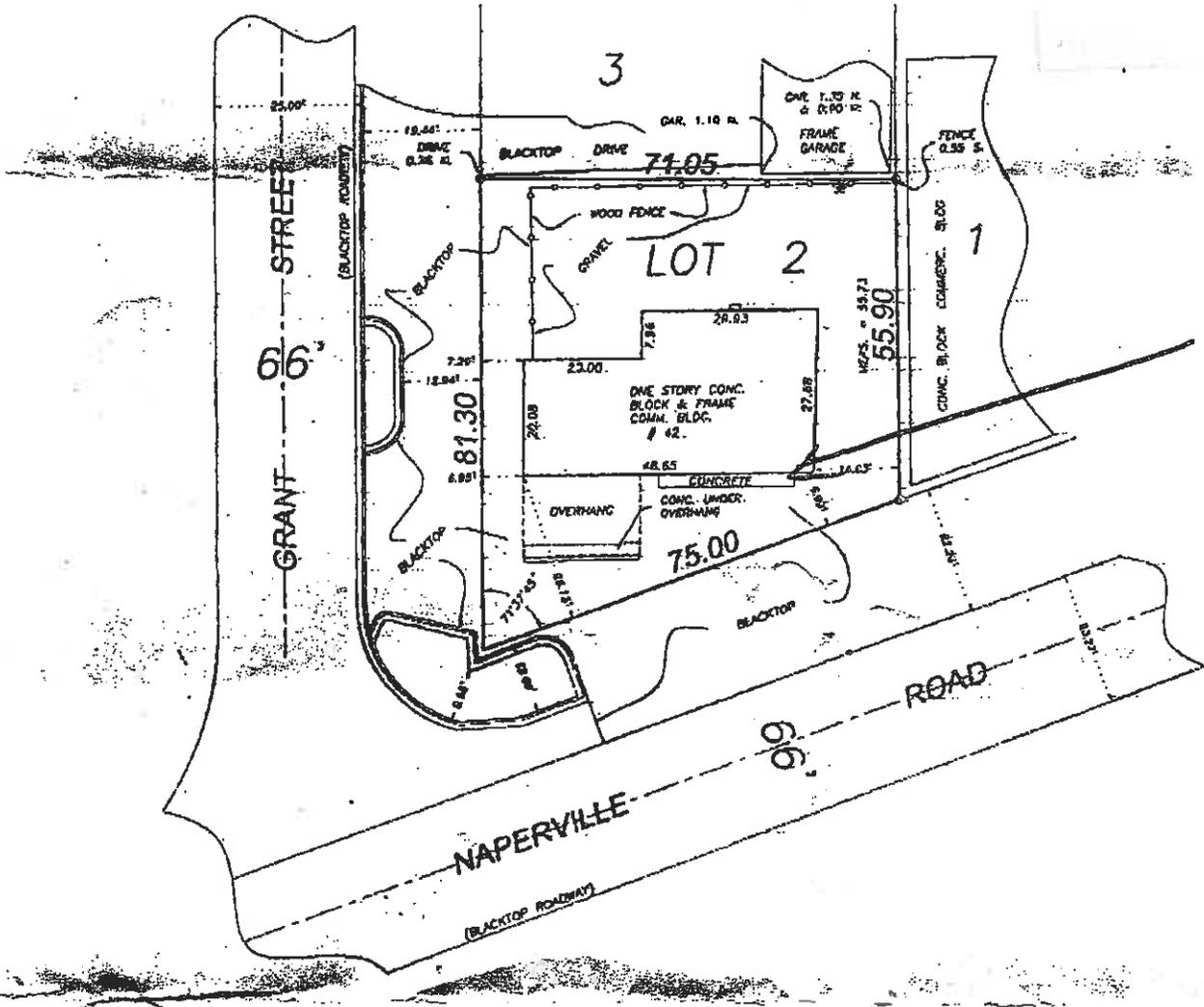
STATE OF ILLINOIS } SS
 COUNTY OF DU PAGE }
 I HEREBY CERTIFY THAT I HAVE SURVEYED
 PROPERTY DESCRIBED HEREON.
 DATE: APRIL 7 2009

Joseph M. De Craene
 ILLINOIS LAND SURVEYOR NO. 1111

PLAT OF SURVEY

LOT 1 IN MC MILLAN ASSESSMENT PLAT, A RESUBDIVISION OF LOTS 20-23 IN BLOCK 2 OF RESUBDIVISION OF LOTS 8 TO 27, BLOCK 8 IN MC INTOSH AND CO'S FAIRMONT GARDENS IN THE NORTHEAST QUARTER OF SECTION 9 AND THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO MC MILLAN ASSESSMENT PLAT RECORDED DECEMBER 16, 1946 AS DOCUMENT 512777, IN DUPAGE COUNTY, ILLINOIS.

RE: 42 W. NAPERVILLE



CERTIFIED TO:
CHICAGO TITLE INSURANCE CO.

STATE OF ILLINOIS
COUNTY OF DU PAGE) S.S.

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID TRACT.

MY PROFESSIONAL SERVICE CONFORMS TO THE PRESENT ILLINOIS MINIMUM STANDARDS FOR A LAND SURVEY.

GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS, THIS 12TH DAY OF APRIL, A.D. 2005.

Robert V. Lambert
LAND SURVEYOR NO. 1943

FOR NO DEED OR GUARANTEE POLICY FOR RESUBDIVISIONS NOT SHOWN IN SURVEY.
DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.
MARKING ALL POINTS BEFORE BUILDING AND REPORT ANY APPARENT

ORDERED BY: *YU. TONG* ORDER NO. 105-C-228 FILE NO. 050373

LAMBERT & ASSOCIATES
LAND SURVEYORS
320 SOUTH REBER ST. WHEATON, ILL. 60187
PHONE: (630) 653-6331 FAX: (630) 653-6396

- + = FOUND CUT CROSS
- ⊙ = FOUND IRON STAKE
- = SET IRON STAKE

101

Google Maps

38 W Naperville Rd



Imagery ©2016 Google, Map data ©2016 Google

20 ft



- NO STORAGE
- CUST. PICK-UP