



Village Board Meeting August 27, 2020 6:00 p.m.

Note: This meeting will be a blended meeting held remotely and with in-person attendance to allow for social distancing requirements. For remote attendance, the meeting will be streaming live on the Village's YouTube channel: <https://www.youtube.com/VillageofWestmont>. A remote Open Forum is available for the community to participate in the meeting remotely if so desired, to submit comments/questions by filling out the online public comment form by visiting <https://westmont.illinois.gov/meetinginfo> or by calling (630) 981-6195. If you are calling in a comment please do so 2 hours prior to the start of meeting time. If there are questions on how to submit a form please email clerk@westmont.il.gov

1. Call To Order

2. Roll Call

3. Pledge Of Allegiance

4. Open Forum

Public Comment is subject to the public comment rules and procedures adopted by the Village.

Citizens can submit remote public comment by filling out an online form, or by phone call.

- The Online Public Comment Form can be found by visiting [HTTPS://WESTMONT.ILLINOIS.GOV/533/MEETING-INFORMATION](https://westmont.illinois.gov/533/MEETING-INFORMATION).
- By phone: Call 630-981-6195 and leave your full name, address, and comment.
- A comment made by phone must be submitted 2 hours prior to the start of the Village Board Meeting.
- If there are any questions on how to make public comments, email clerk@westmont.il.gov.

*Background of
Subject Matter*

*

Type

Discussion Only

5. Reports

a. Board Reports

- Mayor
- Clerk
- 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 August 13, 2020.

Background Of Subject Matter Required Parliamentary Procedure

Type Motion

Documents:

[2020-08-13 VILLAGE BOARD MEETING MINUTES.PDF](#)

b. Finance Ordinance

i. Finance Ordinance #8

Total to be announced at the meeting.

Background Of Subject Matter *

Type Motion

c. Purchase Orders

i. PO 21200539

Currie Motors \$33,293.00

Background Of Subject Matter Replace Police Squad that was totaled by our insurance

Type Purchase Order

Budgeted No

Budgeted Explanation The vehicle was not expected to be totaled, so it is not budgeted. However, the majority of the cost is reimbursed by insurance, and there are funds available in the Vehicle Replacement Program to cover the residual cost.

Documents:

[21200539.PDF](#)

ii. PO 21200538

A Lamp Concrete Contractors, Inc \$276,470.00

Background Of Subject Matter Ogden Median Construction

Type Purchase Order

Budgeted Yes

**Budgeted
Explanation**

This Median Construction is budgeted and was not identified as ON HOLD. The other portions of this project, including some landscaping was put ON HOLD. This PO is based on an estimated price for the reduced scope.

Documents:

[21200538.PDF](#)

iii. **PO 21200561**

Critical Technology Solutions \$56,862.50

**Background Of
Subject Matter**

Door Access System For New Public Works Facility

Type

Purchase Order

Budgeted

Yes

**Budgeted
Explanation**

This was not identified as ON HOLD, as the building construction had already started when the budget was adopted.

Documents:

[21200561.PDF](#)

iv. **Total Of Purchase Orders**

\$ 366,625.50

**Background Of
Subject Matter**

*

Type

Purchase Order

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

Total to be announced at the meeting.

**Background Of
Subject Matter**

*

Type

Motion

8. Unfinished Business

9. New Business

a. **126 Scott Court FAR Variance**

Board to consider an ordinance approving a zoning code variance to increase the Floor Area Ratio to allow the construction of a closed sunroom over an existing open deck of a residential property at 126 Scott Court.

**Background Of
Subject Matter**

The applicant, Andrew Venemore, seeks relief from the maximum allowable Floor Area Ratio in the R-3 Single Family Detached Residence District to finalize construction plans for a closed sunroom over an existing open deck.

**Additional
Background**

The subject lot is located on a small cul de sac in the Fairfield VI Community, east of Cass and directly south of Robert Bernas Park, a Westmont Park District property. To the west,

east and south of the cul de sac are residences.

Recommendation The Planning and Zoning Commission recommend approval at the August 27, 2020 meeting.

Type Ordinance

Documents:

[126 SCOTT COURT BOARD MEMO.PDF](#)

b. **526 N Park St - Variance**

Board to consider an ordinance to allow a variance for the construction of a garage at 526 N Park Street.

Background Of Subject Matter Applicant, Juanita Rea-Dorn, is looking to construct a garage measuring 720 sq. ft. and 30 ft. in length to store landscaping equipment and two vehicles. The existing wood frame detached garage (440 sq.ft.) & shed (102 sq. ft.) will be demolished.

Recommendation The Planning and Zoning Commission recommended approval at their August 12, 2020 meeting.

Type Ordinance

Documents:

[526 N. PARK - GARAGE VARIANCE BOARD MEMO.PDF](#)

c. **Clemens Insurance - 41 North Cass Ave - Special Use & B-1 Permits**

Board to consider the following ordinances regarding Clemens Enterprises Inc., 41 N. Cass Ave:

1. Special Use Permit to allow the applicant to operate a life and health insurance business on the ground floor of a 1,850 sq. ft. space in the B-1 Limited Business District.
2. B-1 Permit to relocate an existing downtown business to the subject property.

Background Of Subject Matter The applicant feels that the 1,850 square-foot space lends itself well to the proposed type of business operation, with a growing client base. The applicant has added an assistant and an additional agent.

Additional Background The applicant believes there is enough parking close to the subject property. Many of the clients have walkers and wheelchairs and require parking spaces nearby (in front, along the side and at a lot across the street).

Recommendation The Planning and Zoning Commission recommended approval on August 12, 2020.

Type Ordinance

Documents:

[BOARD MEMO.PDF](#)

d. **Code Amendments Re: Cannabis Regulations**

Board to consider an ordinance approving amendments to Chapter 22 and Chapter

58 of the Westmont Code of Ordinance regarding cannabis and paraphernalia regulations.

Background Of Subject Matter	As a result of the Cannabis Regulation & Tax Act (effective Jan 1, 2020), certain Code amendments are required to Ch 22 (licensing & restrictions on paraphernalia sales) & Ch 58 (misc offenses) so that Village ordinances are consistent with State statute.
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 HYBRID VIRTUAL BOARD MEETING HELD **Thursday, August 13, 2020.**

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

WESTMONT VIRTUAL VILLAGE BOARD MEETING ROLL CALL:

PRESENT: Mayor Gunter P Clerk Szymski P

TRUSTEES: Barker P Barry P
Guzzo P Liddle P
Nero P

STAFF:

May <u>P</u> (Village Mgr)	Parker <u>P</u> (Finance Director)	Sylvester <u>P</u> (Community Dev. Director)
Brainerd <u>P</u> (HR Director)	McIntyre <u>P</u> (Communications Director)	Liljeberg <u>P</u> (I.T. Manager)
Chief Gunther <u>P</u> (Police Dept.)	Dep Chief Thompson <u>A</u> (Police Dept.)	Dep Chief Gruen <u>A</u> (Police Dept.)
Chief Riley <u>P</u> (Fire Dept.)	Olsson <u>A</u> (Assistant Finance Director))	Richards <u>A</u> (Deputy Clerk)
Ramsey <u>A</u> (P.W. Director)	Mielcarski <u>P</u> (Management Analyst)	Mulhearn <u>A</u> (Deputy Liquor Commissioner)

ATTORNEY: Zemenak P Carrara A

A QUORUM WAS PRESENT TO TRANSACT BUSINESS.

PRESS:

Bugle A

CHAMBER OF COMMERCE DIRECTOR: Forssberg - P

THOSE PRESENT RECITED THE PLEDGE OF ALLEGIANCE.

Mayor Gunter talked about the hybrid meeting. The Mayor, Clerk and Trustee Liddle is in the boardroom. The other members are logging in remotely.

OPEN FORUM:

Manager May reported that there are no submitted comments.



westmont.il.gov

Village Clerk's Office

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

- Alley C project between Norfolk st. and Naperville rd. has begun and will last until early November.
- Thanked the Police Department for monitoring some speed issues in Oakwood.
- Thanked Jim Cates from Public Works for the assistance that he provided for a resident.

Trustee Liddle

- Recapced the Administration / Finance Committee meeting that occurred earlier today.
 - We are looking for a new provider for our health and wellness program.
 - The Fire Department is looking to update their contract with GEMT for emergency transportation.
 - The quarterly budget overview shows that we are not out of the woods yet, but we do appear to be on the right path.

Trustee Johanik-Guzzo

- The next Public Safety Committee meeting is August 27, 4:30 PM. Location to be determined.
- The Fire Department's Annual Fire Prevention Open House has been cancelled this year due to COVID-19 pandemic. The Fire Department will be hosting an open house virtually. More information is to come.

Trustee Barker

- Condolences to the Tearney family and Pipek families.
- Westmont First will meet in September.
- The Census is still ongoing.
- The Environmental Improvement Committee will have a presentation on solar panels in September.

Trustee Barry

- There are a few grants out there for businesses.
- Choose DuPage has relaunched a grant program for DuPage based small businesses. Some restrictions have been removed. There are many details that you can obtain by visiting Chooosedupage.com. Applicants who have applied for this grant get an answer fairly quickly.
- The Village of Westmont has also created a small business retail grant program that runs through the end of August. For further details and to apply, visit <https://choosewestmont.com/>
- A formal groundbreaking was held for Quincy Station on August 6th. Kudos to Holladay Properties and all involved on this project. It will be a great addition to Downtown Westmont. There is a video of the ceremony on the Village website.
- Talked about the PZC meeting.
 - The One North Cass got a positive recommendation.
 - The L.A. Fitness is ready to go.
 - The "mystery grocer" is also ready to go.
 - Starbucks hung their sign last night.
 - The medical building at 303 W Ogden is moving right along.

- The FMC Natatorium is also moving along.
- Cass Avenue Dream Homes is in Phase 2.

ITEMS TO BE REMOVED FROM CONSENT AGENDA:

The Mayor asked for a Trustee to make a motion to remove the two proclamations from the consent agenda, (1) National Suicide Prevention Week (2) National Payroll Week.

Trustee Liddle made the motion.
Trustee Barry seconded that motion.

(1) CONSENT AGENDA [Omnibus Vote]:

Village Manager May addressed the Board on this agenda item.

Motion by **Trustee Liddle** to approve the consent agenda.

(A) BOARD MEETING MINUTES

Board to consider approving the minutes of the Village Board meeting held **July 30, 2020**.

(B) FINANCE ORDINANCE #7: Dated **August 13, 2020** in the amount of **\$2,548,456.16**.

(C) PURCHASE ORDERS

21200452	Westmont Chamber of Commerce	\$20,875.00
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(D) TOTAL OF PURCHASE ORDERS & FINANCE ORDINANCE : \$2,569,331.16

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

VOTE ON MOTION #1

Ayes: Barker, Barry, Guzzo, Liddle, Nero,
Nays: None
Absent: None

UNFINISHED BUSINESS

No unfinished business.

NEW BUSINESS

(2) PROCLAMATION - NATIONAL SUICIDE PREVENTION WEEK - 2020

Mayor Gunter addressed the Board on this item. Manager May read the proclamation.

Motion by **Trustee Nero** to consider a proclamation to declare the week of September 6 - 12, 2020 as National Suicide Prevention Week.

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

VOTE ON MOTION #2

Ayes: Barker, Barry, Guzzo, Nero, Liddle

Nays: None

Absent: None

Mayor Gunter invited Chris Svitek to the podium to talk about Suicide Prevention. Mr. Svitek talked about how suicide has affected his life. He spoke about the cause and the fundraiser. Joel Feiders joined remotely to talk about suicide awareness and a group called Hope for the Day. There are mental health workshops that you can access by visiting the website is www.hftd.org and his email is joel@hftd.org. Joel talked about "It's OK to not be OK".

(3) PROCLAMATION - NATIONAL PAYROLL WEEK 2020

Mayor Gunter addressed the Board on this item. Finance Director Parker read the proclamation.

Motion by **Trustee Liddle** to consider a proclamation to declare the first week of September as National Payroll Week.

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

VOTE ON MOTION #3

Ayes: Barker, Barry, Guzzo, Nero, Liddle

Nays: None

Absent: None

Katie Stafeldt, President of the Chicago Chapter and Kathy Mizieski, Vice President of the Chicago Chapter thanked the Village Board for supporting the payroll profession. The goal is to provide information and education to payroll professionals. Their organization created virtual classes during COVID-19.

(4) AMENDED WATER METER READING AGREEMENT

Finance Director Parker addressed the Board on this item.

Motion made by **Trustee Nero** to consider an ordinance approving an Amended Water Meter Reading Agreement with Flagg Creek Water Reclamation District.

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

VOTE ON MOTION #4

Ayes: Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None



(5) VERIZON LICENSE AGREEMENT

Attorney Zemenak addressed the Board on this item.

Motion made by **Trustee Liddle** to consider an ordinance approving a Third Amendment to License Agreement with Verizon for use of Village rights-of-way.

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

VOTE ON MOTION #5

Ayes: Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

(6) DECLARATION OF VILLAGE PROPERTY AS SURPLUS

Finance Director Parker addressed the Board on this item.

Motion made by **Trustee Nero** to consider an ordinance declaring certain Village owned vehicles as surplus property. (Fire Department - ambulance)

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

VOTE ON MOTION #6

Ayes: Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

(7) CODE OF ORDINANCE TEXT UPDATE - CHAPTER 42 FIRE

Fire Chief Riley addressed the Board on this item.

Motion made by **Trustee Liddle** to consider an ordinance amending Chapter 42, Fire Prevention, Fire Protection and Emergency Services, of the Westmont Code of Ordinance to update the areas of mutual aid.

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

VOTE ON MOTION #7

Ayes: Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None



(8) NEW CLASS 25 LIQUOR LICENSE

Mayor Gunter addressed the Board on this item and asked to postpone to a future meeting.

Motion made by **Trustee Nero** to consider postponing an ordinance amending Chapter 10, Section 10-36 of the Westmont Code of Ordinances to create a new Class 25 liquor license to allow natatoriums to sell alcoholic beverages for consumption on the premises.

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

VOTE ON MOTION #8

Ayes: Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

MISCELLANEOUS:

- Clerk Szymiski thanked the Public Works Department for cleaning up after the storm.
- Mayor Gunter thanked the Fire Department for their help with the residents in the Fire Protection District.
- Manager May talked about dividers.
- Residents can continue to purchase waste stickers at Village Hall.

(9) ADJOURNMENT

Motion by **Trustee Liddle** to adjourn the meeting.

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

VOTE ON MOTION #9

Ayes: Barker, Barry, Guzzo, Liddle, Nero

Nays: None

Absent: None

MEETING ADJOURNED AT 6:46 P.M.

ATTEST:

APPROVED:

Virginia Szymiski, Village Clerk

Ronald J. Gunter, Mayor

Dated this 27th day of August, 2020



Village of Westmont

Purchase Order

PO Date: 2020-08-20

Page: 1 of 1

Bill To:

POLICE DEPARTMENT
500 N CASS
WESTMONT, IL 60559

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # **21200539**

Vendor:

CURRIE MOTORS
9423 W. LINCOLN HWY
FRANKFORT, IL 60423
Fax: 815-469-9700

Ship To:

See Shipping Information Below

Vendor Number	Vendor Phone Number	Vendor Fax Number	Delivery Reference			
100409	815-464-9200	815-469-9700				
Item#	Description/PartNo	QTY	UOM	Unit Price	Extended Price	
1	Replace totaled squad #30 RI) 2020 Ford Utility Police Interceptor AWD. Suburban Purchasing Contract #152 Price. New squad card to replace totaled Unit 30. C.R.# 20-8408. Partial reimbursement from IRMA. Check # 523493 for \$31,897.48 toward purchase and rebuild. Remainder from Vehicle Replacement. GL Account: 0156621 - 55036 - 2I&I \$31,897.48 Ship To: POLICE DEPARTMENT 500 N CASS WESTMONT, IL 60559 Email: mbjur@westmont.il.gov	1.0	EACH	\$31,897.48	\$31,897.48	
2	Portion not covered by IRMA check. GL Account: 2552525 - 57093 - 1GOV \$1,395.52 Ship To: POLICE DEPARTMENT 500 N CASS WESTMONT, IL 60559 Email: mbjur@westmont.il.gov	1.0	EACH	\$1,395.52	\$1,395.52	

By: Spencer Parkes
Authorized Signature

PO Total \$33,293.00

*All vendors must comply with applicable regulations of the Illinois Department of Human Rights.

*This order is exempt from Federal Excise Tax under title 25 USCA, and from Illinois Sales Use and Service Taxes. E9997-4320-07.

*Acceptance of this Purchase Order constitutes agreement by vendor that any action arising out of this Agreement may be commenced only in the State or Federal courts located in DuPage County and/or the Northern District of Illinois. The prevailing party shall have their attorney's fees and court costs paid by the losing party.

*The Village of Westmont will process all bills in accordance with the Illinois Government Prompt Payment Act 50 ILCS 505.



Village of Westmont

Purchase Order

PO Date: 2020-08-20

Page: 1 of 1

Bill To:

MUNICIPAL SERVICES
31 W QUINCY
WESTMONT, IL 60559

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # **21200538 - 01**

Vendor:

A Lamp Concrete Contractors, Inc.
1900 Wright Boulevard
Schaumburg, IL 60193

Ship To:

See Shipping Information Below

Vendor Number	Vendor Phone Number	Vendor Fax Number	Delivery Reference			
100796						
Item#	Description/PartNo	QTY	UOM	Unit Price	Extended Price	
1	Ogden Avenue Gateway Beautification MODIFIED: Ogden Median - construction GL Account: 3053030 - 57063 - 5INF Ship To: MUNICIPAL SERVICES 31 W QUINCY WESTMONT, IL 60559	1.0	EACH	\$276,470.00	\$276,470.00	

By: Spencer Parkes
Authorized Signature

PO Total **\$276,470.00**

*All vendors must comply with applicable regulations of the Illinois Department of Human Rights.
 *This order is exempt from Federal Excise Tax under title 25 USCA, and from Illinois Sales Use and Service Taxes. E9997-4320-07.
 *Acceptance of this Purchase Order constitutes agreement by vendor that any action arising out of this Agreement may be commenced only in the State or Federal courts located in DuPage County and/or the Northern District of Illinois. The prevailing party shall have their attorney's fees and court costs paid by the losing party.
 *The Village of Westmont will process all bills in accordance with the Illinois Government Prompt Payment Act 50 ILCS 505.



Village of Westmont

Purchase Order

PO Date: 2020-08-21

Page: 1 of: 1

Bill To:

INFORMATION TECHNOLOGY
31 W QUINCY
WESTMONT, IL 60559
Email: it@westmont.il.gov
Phone: 630-981-6240 EXT 2

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Purchase Order # **21200561**

Vendor:

CRITICAL TECHNOLOGY SOLUTIONS,
1247 WARREN AVENUE
DOWNERS GROVE, IL 60515

Ship To:

See Shipping Information Below

Vendor Number	Vendor Phone Number	Vendor Fax Number	Delivery Reference			
100297	630-769-5063					
Item#	Description/PartNo	QTY	UOM	Unit Price	Extended Price	
1	Door Access System at NEW Public Works Bldg Purchase and Installation of NEW door access system in the Public Works Facility and wiring. The new system will control access for 32 identified doors including two gates along with 6 Control Boards and Enclosures. The quote includes all hardware required to control the door hardware. This quote is subject to change if the General Contractor changes the hardware used on the doors. GL Account: 3153131 - 57062 - 1GOV \$56,862.50 Ship To: INFORMATION TECHNOLOGY 31 W QUINCY WESTMONT, IL 60559 Email: it@westmont.il.gov Phone: 630-981-6240 EXT 2	1.0	EACH	\$56,862.50	\$56,862.50	

By: *Spencer Parkes*
Authorized Signature

PO Total \$56,862.50

*All vendors must comply with applicable regulations of the Illinois Department of Human Rights.

*This order is exempt from Federal Excise Tax under title 25 USCA, and from Illinois Sales Use and Service Taxes. E9997-4320-07.

*Acceptance of this Purchase Order constitutes agreement by vendor that any action arising out of this Agreement may be commenced only in the State or Federal courts located in DuPage County and/or the Northern District of Illinois. The prevailing party shall have their attorney's fees and court costs paid by the losing party.

*The Village of Westmont will process all bills in accordance with the Illinois Government Prompt Payment Act 50 ILCS 505.

CASE NUMBER:
TYPE:

PZC-00044-2020

VARIANCE



Village of Westmont
Board of Trustees
Memorandum
August 27, 2020

Item for Board of Trustees Consideration:

A request from Andrew Venamore regarding the property located at 126 Scott Court, Westmont, IL 60559, for the following:

- A. A Zoning Code Floor Area Ratio (F.A.R.) Variance to allow the construction of a closed sunroom over an existing open deck in the R-3 Single Family Detached Residence District.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission recommended approval.

STAFF REPORT TABLE OF CONTENTS

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PLANNING COMMISSION FINDINGS OF FACT FOR VARIANCE REQUEST PZC CASE NO. 00044-2020	12

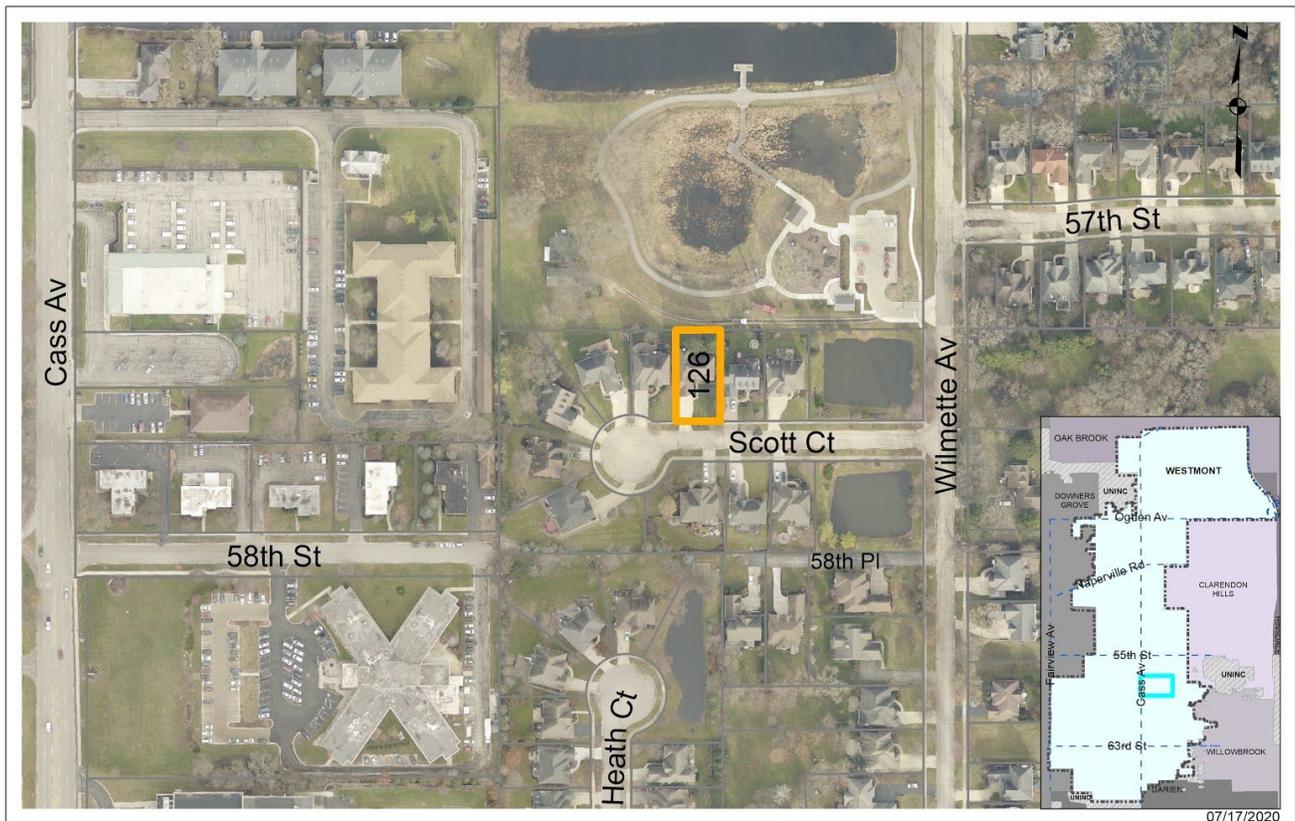
CASE SUMMARY AND BASIS FOR RECOMMENDATION

TITLE: Andrew Venamore regarding the property located at 126 Scott Court., Westmont, IL 60559 for the following:

(A) A Zoning Code Floor Area Ratio (F.A.R.) Variance to allow the construction of a closed sunroom over an existing open deck in the R-3 Single Family Detached Residence District.

A. Background

The subject lot is located on a small cul de sac in the Fairfield VI Community, east of Cass and directly south of Robert Bernas Park, a Westmont Park District property. To the west, east and south of the cul de sac are residences and condominium apartments.



Aerial Map of the Subject Property showing existing buildings, nearby developments and natural features.

The applicant seeks relief from the maximum allowable Floor Area Ratio (FAR) in the R-3 Single Family Detached Residence District in order to finalize construction plans for an enclosed sunroom. The property is zoned R-3 Single Family Detached Residential District and contains an existing single family residence. Properties to the east, west, north and south are zoned similarly and contain single-family homes.

ZONING ANALYSIS

The subject property is located in the R-3 Single Family Detached Residence District. The proposed construction will add an enclosed sunroom over an existing patio.

The architectural character of the addition will match the existing residence and fits in with the character of the neighborhood. Additionally, the resulting character and bulk of the home is consistent with the character and bulk of similar properties in the area.

The expansion will increase the property's floor area ratio (F.A.R.) and lot coverage as defined in Appendix "A", Section 6.04 - Bulk and development standards in residence districts, Subsection C, which states that the Maximum Floor Area Ratio for properties in the R-3 Single Family Residence District is 0.40 for the first 9,000 square feet of lot area plus 0.20 for the lot area greater than 9,000 square feet. At 8,943 square feet, the lot is less than 9,000 square feet. Therefore, the maximum floor area ratio for this property is capped at .40. The existing structure exceeds the maximum allowable F.A.R. by 3% of the total lot dimensions.

However, the lot coverage for the proposed and the existing will remain at under 40%, which is the maximum allowable lot coverage for this particular subdivision.

A summary of requirements and requested variance are discussed below.



126 Scott Court

F.A.R. Variance Request

Article XVI of the Zoning Code states:

Floor area: For determining floor area ratio: The sum of the gross horizontal areas of the several floors including also the basement floor of a building (Note: this is only for commercial buildings), measured from the exterior faces of the exterior walls, or from the centerlines of walls separating two buildings. The "floor area" shall also include the horizontal areas on each floor devoted to:

- (a) Elevator shafts and stairwells;*
- (b) Mechanical equipment, except if located on the roof, when either open or enclosed, i.e., bulkheads, water tanks and cooling towers;*
- (c) Habitable attic space as permitted by the building code of the Village of Westmont;*
- (d) Interior balconies and mezzanines;*
- (e) Enclosed porches; and*
- (f) Accessory uses.*

Floor area for single-family detached dwellings in the R-1, R-2, R-3 and R-4 zoning districts shall not include the horizontal area of any garage, basement, crawl space, cellar or attic; but shall include any other attached structure on the lot having a roof.

Floor area ratio: The numerical value obtained by dividing the floor area within a building or buildings on a lot by the area of such lot. The floor area ratio as designated for each district, when multiplied by the lot area in square feet, shall determine the maximum permissible floor area for the building or buildings on the lot.

The subject property 0.21 acres (8,943 square feet) is located in the *Fairfield VI Community* Subdivision and is zoned R-3 with a maximum Floor Area Ratio (F.A.R) of 0.40. The subject property is a standard lot on Scott Court and its rear yard abuts a neighborhood park. The proposed addition will be contained within all required setbacks. The allowable floor area square footage for the lot according to the current code is 3,577 square feet and the proposed square footage is 3,943 square feet which exceeds the allowable by 365 square feet, and exceeds the current F.A.R. by 117 square feet.

The applicant is requesting a Zoning Code Variance of 365 square feet for the purposes of completing a covered sunroom patio project for the home. The sunroom will cover an existing patio and will therefore be imperceptible in terms of the building envelope. The uncovered patio does not count as floor area, but

the effective floor area, if it were to be included, remains the same as existing conditions. The only change is that the patio will now be fully enclosed and create indoor liveable space. Furthermore, the proposed architectural design is of the same or similar character, size and bulk as many of the homes in the area, and this feature will be an enhancement to the home.

The existing building on the site has an F.A.R. of .43, which already exceeds the .40 allowable by code. The addition increases the overall F.A.R. to .44. The allowable F.A.R. for this property is .40, representing a .04 increase in the F.A.R. for this property but only a .01 increase from existing.

Sec. 6.04. - Bulk and development standards in residence districts.

<i>R-3 District</i>	<i>Maximum floor area ratio</i>
Single-family detached dwelling	.40
Variance Requested:	.44

REVIEW COMMENTS

Engineering Synopsis - Village staff has determined prior to submission that the scope of the project would not trigger any additional engineering requirements from the Village.

SUMMARY

The applicant requests a variance for relief from the maximum FAR as required in the R-3 Single Family Detached Residential District.

DOCUMENTS ATTACHED

1. Public notice as published in the May 22, 2020 edition of the Westmont Suburban Life.
2. Application for variance, with associated application materials, received June 22, 2020.
 - a. Application
 - b. Findings of Fact - Applicant
 - c. Deed
 - d. Full set of plans, dated April 9, 2020
 - e. Site Plan showing lot coverage calculations, dated April 9, 2020
 - f. Site Plan showing Floor Area calculations, dated April 9, 2020

B. Legal

Notification: *Westmont Village codes require the proposal to be advertised with a Class Two Legal Notices and to be considered by the Planning and Zoning Commission at a public hearing. Public notice was provided in the Westmont Suburban Life on July 23, 2020.*

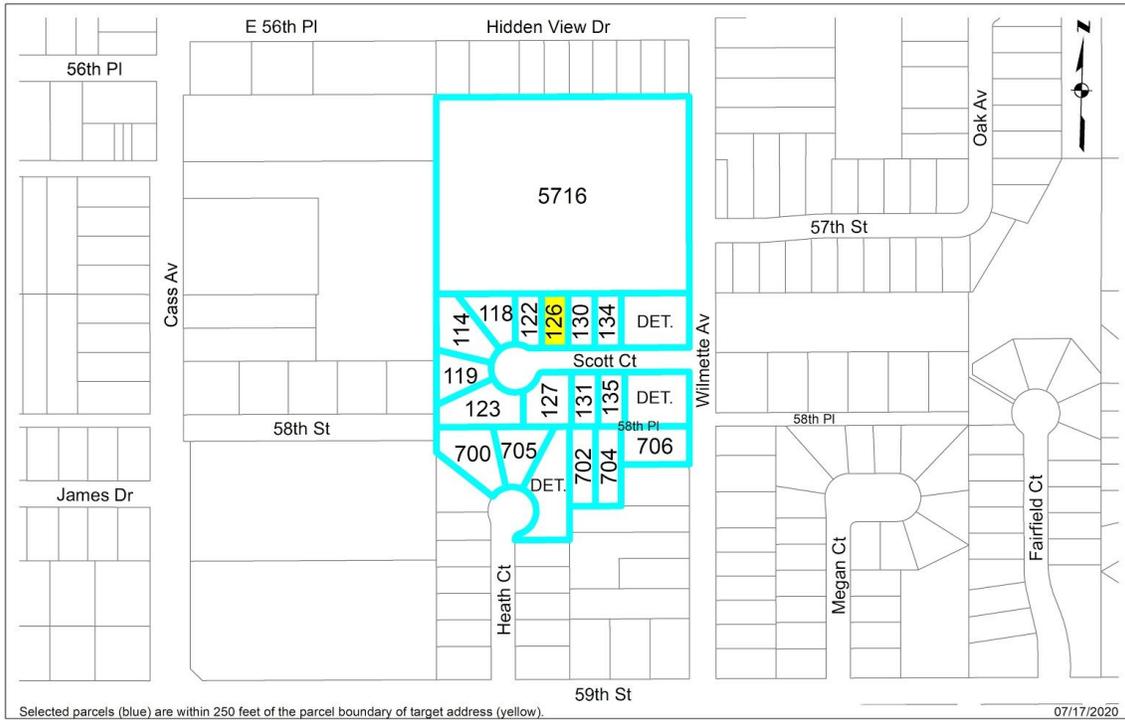
Other Required Actions: *Village Board action is required for these proposed Ordinance Amendments. After the Planning and Zoning Commission has made a recommendation, the Special Use Permit and Variance requests will be taken to the Village Board of Trustees for review and a final decision on August 27, 2020.*

Code Reference: *Village Code Section 6.05 Variations. specifies the requirements to follow when requesting variances to the Zoning Code.*

C. Principal Parties

1. *Andrew Venamore, Mach 1, Inc. - applicant.*

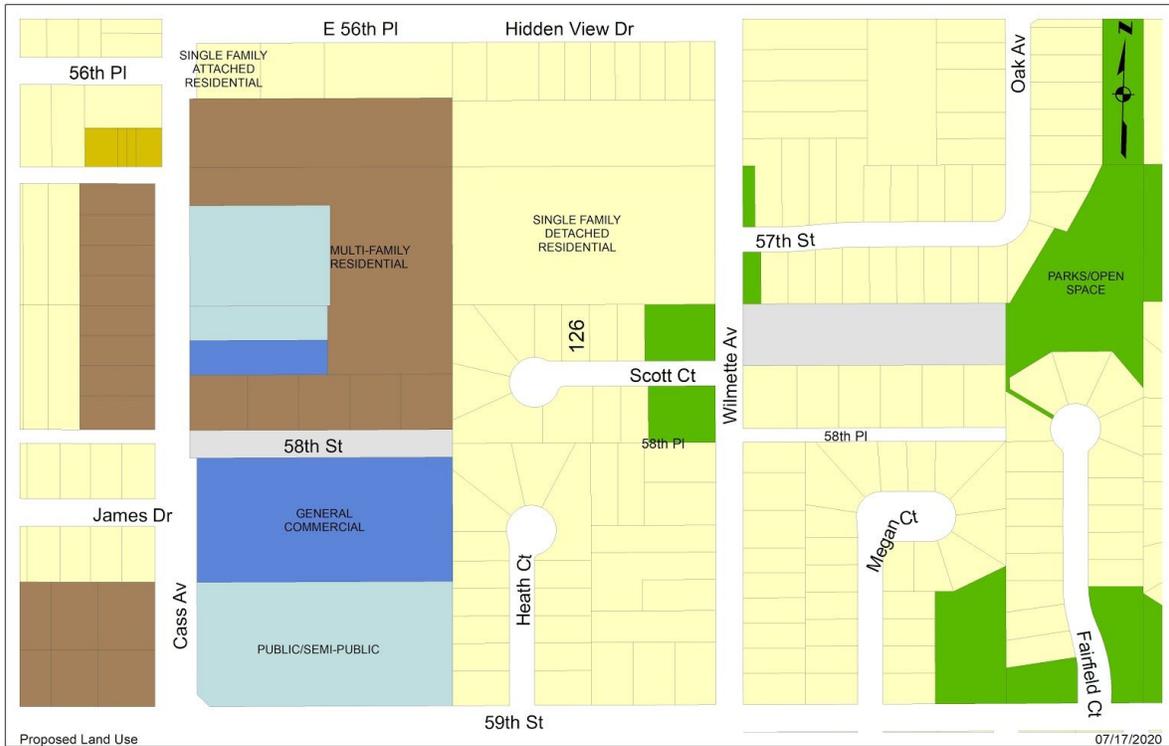
MAP SERIES



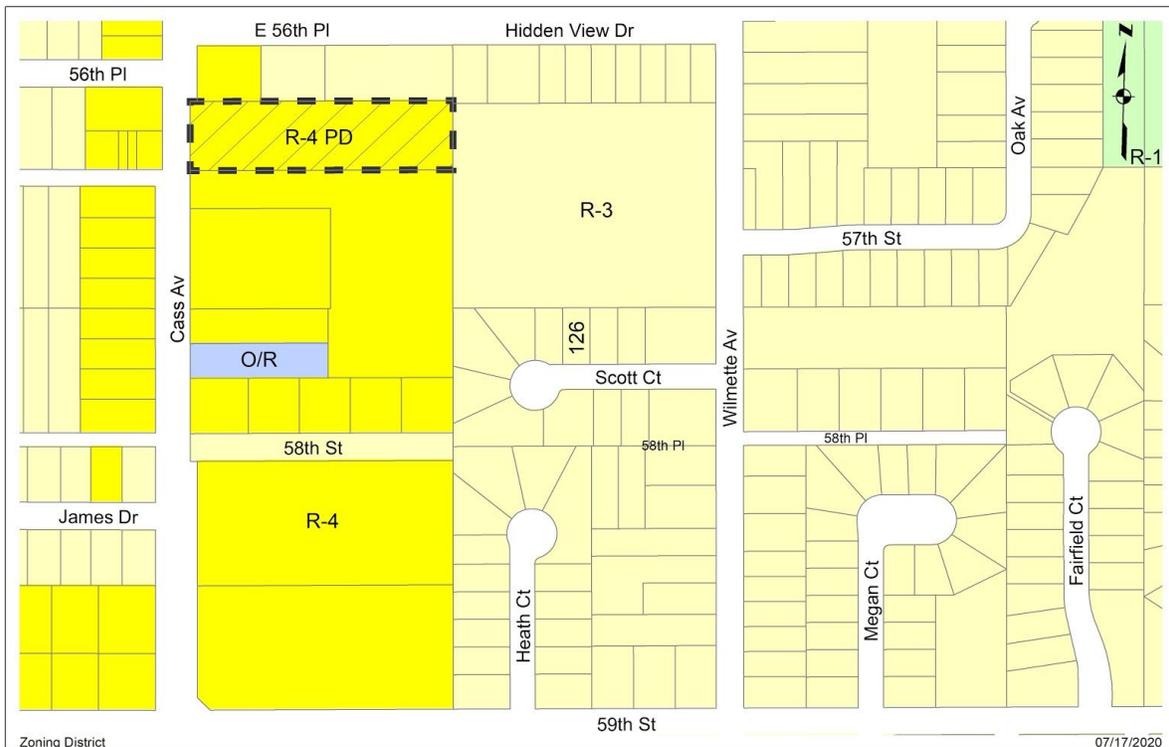
Subject property, highlighted, at 126 Scott Court, showing the notification area.



The Existing Land Use Map shows 126 Scott Court as “Single Family Detached Residential” Designation. The proposed sunroom addition is compatible with the properties in the area.



The Proposed Land Use Map (2013) shows the subject property as “Single Family Detached Residential” and surrounded on all sides by the same designation.



The Zoning Map shows the subject property as R-3 Single Family Detached Residence District, and surrounded on all sides by the same zoning districts, consistent with the proposed use.

STIPULATIONS RECOMMENDED BY PLANNING STAFF FOR PZC CASE # 00044-2020

None

CONCURRENCY SUMMARY REPORT

Project Name: 126 Scott Court F.A.R. Variance - PZC Case #00044-2020

Report Date: August 27, 2020

The proposal is consistent with the Comprehensive Plan, the Proposed Land Use Plan, and the Codes and Ordinances for the Village of Westmont.

**PLANNING COMMISSION FINDINGS OF FACT FOR VARIANCE REQUEST PZC CASE
NO. 00044-2020**

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT
PUBLIC HEARING OF AUGUST 12, 2020

PZC 00044-2020 – Andrew Venamore, regarding 126 Scott Court, Westmont
Request for a variance to allow an enclosed sunroom which exceeds the maximum allowable floor area ratio.

CRITERIA NO. 1: 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.

FINDINGS OF FACT: The Applicant is proposing to enclose an existing deck on the property in order to create a 3-season sunroom. The house, as originally built prior to the Applicant's ownership, already exceeds the allowable floor area ratio. As a result, the Applicant could never add on to his home without a variance and could not yield a reasonable return without this variance.

CRITERIA NO. 2: The plight of the owner is due to unique circumstances.

FINDINGS OF FACT: The proposed enclosure will only measure 116 square feet, and therefore will not significantly increase the existing floor area ratio. In addition, the proposed sunroom will be located on an existing deck.

CRITERIA NO. 3: The variation, if granted, will not alter the essential character of the locality.

FINDINGS OF FACT: The proposed enclosed sunroom will be aesthetically pleasing. It will not be visible from the road. Despite needing a variance for floor area ratio, the proposed project will meet the height, yard setbacks, lot coverage and other bulk regulations of the R-3 District. The proposed project will not result in adverse stormwater impacts or other adverse impacts on surrounding properties and will not alter the character of the neighborhood.



Village of Westmont
Board of Trustees
Memorandum
August 27, 2020

Item for Board of Trustees Consideration:

Request from Juanita Rea-Dorn, owner, regarding the property located at 526 North Park Street, for a zoning code variance from Sec. 4.05. (E) 15, where:

1. The maximum allowed depth is 28'; and,
2. The maximum allowed size is 576 sq. ft. and,

The purpose of the variance is to permit the construction of a garage measuring 720 sq. ft. and 30 ft. in length in order to store landscaping equipment and two vehicles.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission voted to recommend approval.

I. Basis of Recommendation

A. Background

Juanita Rea-Dorn seeks to demolish an existing wood frame detached garage measuring approximately 440 sq. ft., along with an existing shed measuring 102 sq. ft., both totalling 542 sq. ft., and replace both with one detached garage measuring 720 sq. ft. measuring 24'x30', with a separation distance from the principal structure of 42'9" and a side yard setback of 3 ft.

The subject property is located on North Park, just a block south of Ogden Avenue, directly south of the medical building currently under construction.

The Zoning Code allows garages to have a maximum allowable square footage of 576 sq. ft. and a maximum allowable depth of 28 ft. The project will require one variance as both of these requirements are covered under Zoning Code Section 4.05(E)15.

The proposed detached garage exceeds the maximum size allowed by right for a detached garage (576 sq. ft. and less than 28' deep, per Article IV Sec. 4.05.(c) 3).

Lot Coverage:

The result will be the consolidation of some of the lot coverage into one foundation, with a net addition in impervious coverage of 178 sq. ft. for the foundation, and an additional 37 sq. ft. additional flatwork for the apron and driveway approach, for a total of 215 sq. ft. net increase in lot coverage.

The subject lot is a relatively narrow lot, relative to its depth, measuring 336' x 60', for a total area of 20,152 sq. ft +/-, according to materials submitted by the applicant. The maximum allowable lot coverage for this lot is approximately 7,053 sq. ft. Currently, the lot coverage for this residential lot stands at 3,487 sq. ft., while the lot coverage for the proposed improvements will bring the total up to 3,702 sq. ft. This represents a future proposed lot coverage of 18.4%, an increase of just 1.1%.



Aerial map of the subject property - 526 North Park Street

B. Critical Issues

The subject property is zoned R-3 Single Family Detached Residence District. The surrounding properties to the west, east and south are similarly zoned, while the properties directly to the north are zoned B-2 General Business District, which allows for higher densities. Currently, there is a medical building under construction directly to the north of the subject property.

1. Zoning and Land Development Analysis

The subject property is located in the R-3 General Single-Family Residence District, and adjacent properties to the east, west, and south are similarly zoned. The residence's north side yard abuts a lot that was previously vacant and that was rezoned to B-2 General Business District to expand the buildable area for a medical building fronting Ogden.

The proposed garage is located well within the eastly half of the property, and will provide a rear yard depth of approximately 194 feet, where only 67 feet are required. The proposed structure will be set back nearly 200 feet from the existing rear lot line, which would allow the lot to be subdivided to create two approximately 153-foot long lots, with ample room for ROW dedications should a public road be required.

2. Building Code Analysis:

Should this project move to permitting, there are other considerations that lie outside of zoning that will need to be reviewed and considered, such as building codes that apply when a foundation exceeds the maximum allowable foundation size for garages of 576 sq. ft. Additionally, there are other conditions that might be placed on the proposal at permitting:

NOTE #1: Compliance with all adopted model/building codes is expected, as applicable. (Additionally, if trusses are to be used in construction, an Illinois-licensed structural engineer shall stamp and sign the plans/drawings.)

NOTE #2: Construction methods or documents are not subject to the variance proceedings and will be reviewed in conjunction with the submittal/application process for permitting, should this project continue to that point.

NOTE #3: Due to the age of the residence and other existing conditions on the lot, there might be nonconforming conditions on the lot, legal or otherwise. Such nonconforming conditions are not the subject of this variance process and will be addressed at permitting, should the permit reviewers deem them pertinent.

2. Stipulation

The Zoning Code does not currently allow “granny flats” or accessory structures for residential purposes. For this reason, staff recommends a stipulation that residential uses are expressly prohibited in any of the accessory buildings on the subject lot.

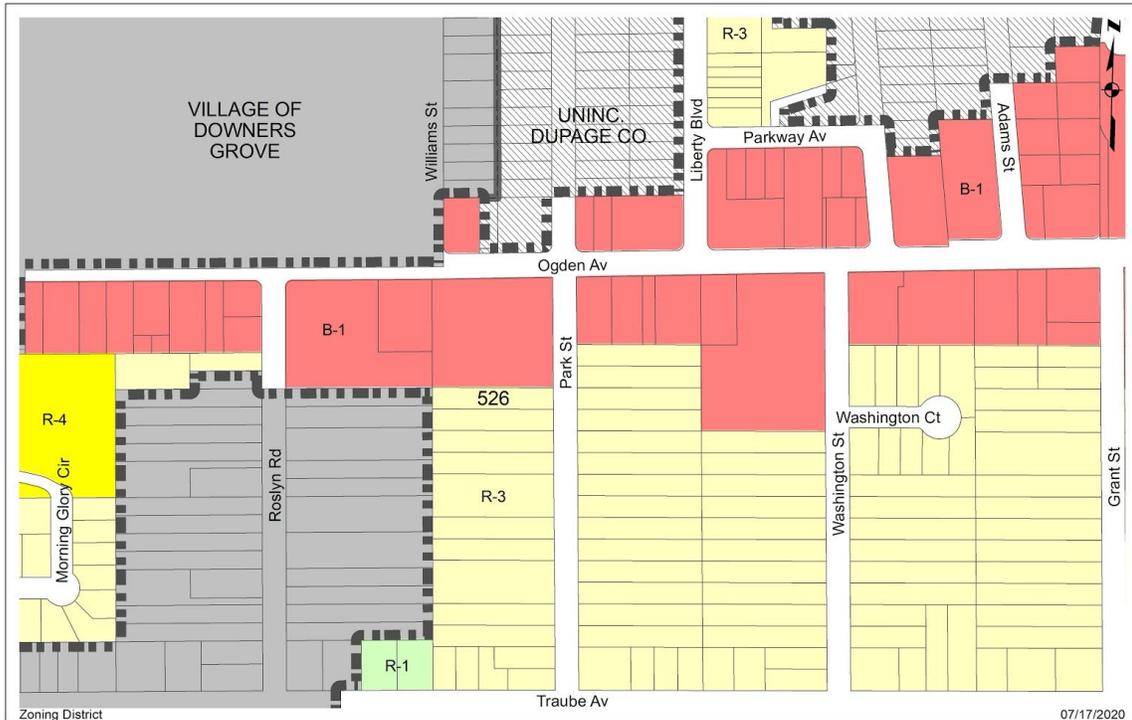
Map Series



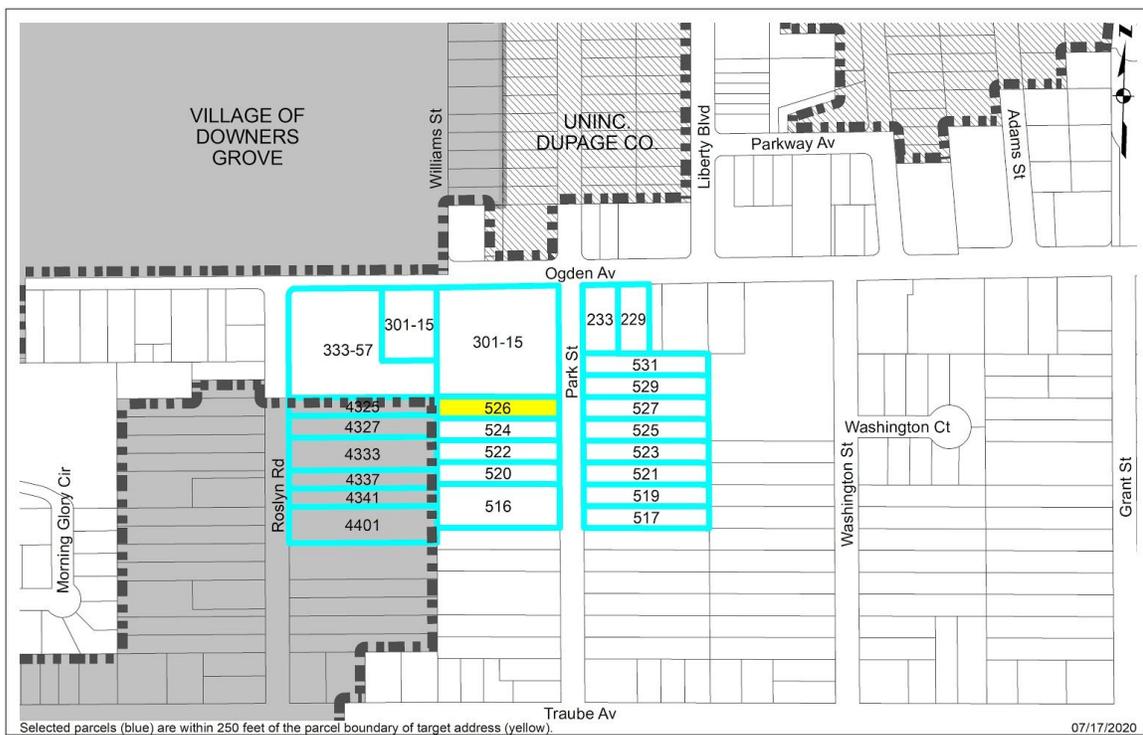
Existing land use map showing the subject lot abutting a residential vacant lot, which is being converted to a parking lot for a medical building, currently under construction.



Proposed Land Use Map showing similar uses as the existing land use map, except with an intensifying commercial corridor along Ogden.



Zoning map showing the subject lot as a R-3 Single Family Detached Residence District abutting Downers Grove residences to the west, R-3 Single Family Detached Residence Districts to the south and north and B-2 General Business Zoning directly to the north.



Public Notification area shown in light blue, with subject lot highlighted in yellow.

SUMMARY

The petitioner seeks approval of a Zoning Code Variance to build a replacement detached garage within 43 feet of the principal structure, and seeks a variance for this purpose, including the 28' depth rule and the 524 sq. ft. rule for accessory structures of this type.

C. Legal

Notification: Public notice was published in the Westmont Suburban Life newspaper on July 23, 2020. Mailed notices were sent and a public notice sign was placed on the property on July 15, 2020.

Code Reference: Appendix "A", Section 4.05(E)(11) and Section 13.07

D. Other Actions: The recommendation of the Planning and Zoning Commission will be referred to the Village Board tentatively on August 27, 2020 for a final decision.

II. **Recommended Conditions, Stipulations, or Other Requirements**

1. Residential uses (sleeping overnight) are not allowed in the garage building.

III. **Attachments and References**

1. Application materials, and associated attachments.

IV. **Principal Parties**

1. Michael Davenport, Architect
2. Juanita Rea-Dorn, Owner

CONCURRENCY SUMMARY REPORT

Project Name: 526 N. Park St. - Garage Variance - PZC Case # 00022-2020

Report Date: August 27, 2020

The proposal is generally consistent with the Comprehensive Plan, the Proposed Land Use Plan, and the Codes and Ordinances for the Village of Westmont.

FINDINGS OF FACT FOR PZC CASE NO. 00022-2020

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT
PUBLIC HEARING OF AUGUST 12, 2020

P/Z 00022-2020 - Juanita Rea-Dorn, 526 N. Park Street, Westmont
Request for a variance to allow a detached garage which exceeds the maximum size and length permitted by the Zoning Ordinance.

CRITERIA NO. 1: 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.

FINDINGS OF FACT: The Applicant's property consists of 20,151 square feet, which is significantly larger than the minimum lot size of 7,800 square feet in the R-3 Single-Family Detached Residential District. In order to maintain this large lot, the Applicant requires sufficient storage space for her riding lawn mower, snow blowers, and other garden and lawn tools. Additionally, the Applicant requires space to store portable power generators, swimming pool supplies, two automobiles, children toys and other items. Restricting the garage to the 576 square feet allowed by the Zoning Ordinance would cause a hardship to the Applicant as she would be unable to sufficiently store these vehicles and equipment inside and it would diminish the value of the property based on the overall lot size.

CRITERIA NO. 2: The plight of the owner is due to unique circumstances.

FINDINGS OF FACT: This property is uniquely large for the R-3 District, and contains a lap pool which requires the storage of additional equipment not typically found in a single-family house in the area. Without this variance, the Applicant would be forced to park vehicles and store some equipment outside, which would detract from the neighborhood.

CRITERIA NO. 3: The variation, if granted, will not alter the essential character of the locality.

FINDINGS OF FACT: The Applicant's large lot will easily accommodate the proposed garage and will not adversely impact surrounding properties. Several large properties in the immediate area have garages of a similar size. The proposed garage will constitute a significant aesthetic upgrade over the existing garage, which is in poor condition. Additionally, the Applicant will remove an existing shed on the property. Even with the proposed garage, the Applicant's lot coverage will be approximately 11%, far less than the maximum allowed by the Zoning Ordinance.

CASE	PZC-000058-2020
NUMBER:	
TYPE:	SPECIAL USE PERMIT B-1 PERMIT



Village of Westmont
Board of Trustees
Memorandum
August 27, 2020

Item for Board of Trustees Consideration:

A request from Clemens Enterprises Inc. regarding the property located at 41 N. Cass Ave., Westmont, for the following:

- A. A Special Use Permit to allow the applicant to operate a life and health insurance business on the ground floor of a 1,850 sq. ft. space in the B-1 Limited Business District, with one stipulation by the Fire Prevention Bureau.
- B. A B-1 Permit to relocate an existing downtown business to the subject property.

Planning and Zoning Commission Recommendation:

The Planning and Zoning Commission recommended approval on August 12, 2020.

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CASE SUMMARY

TITLE: A request from Clemens Enterprises Inc. regarding the property located at 41 N. Cass Ave., Westmont, for the following:

- A. A Special Use Permit to allow the applicant to operate a life and health insurance business on the ground floor of a 1,850 sq. ft. space in the B-1 Limited Business District.
- B. B-1 Permit to relocate an existing downtown business to the subject property.

A. Background

The subject property is located on the east side of North Cass Avenue, on the corner North Cass and Irving Street. The parcel is surrounded on the north, south and west by commercial uses and to the east by residential uses.



Aerial Map of the Subject Property nearby developments.

The applicant seeks approval of a Special Use permit in order to operate an insurance business serving an established local clientele.

The applicant submitted a description of the project that focused on:

- 1. The interior size of the space.

- a. The applicant feels that the 1,850 square-foot space lends itself well to the proposed type of business operation, with a growing client base.
 - b. The applicant has added an assistant and an additional agent that is committed to the business success.
 - c. The space lends itself to enabling the business to provide separation distances internally due for HIPPA requirements
 - d. The space’s design includes an interior space that is suitable for conducting educational seminars.
2. Parking space availability nearby.
 - a. The applicant believes there is enough parking close to the subject property
 - b. Many of the clients have walkers and wheelchairs and require parking spaces nearby (in front, along the side and at a lot across the street).

The applicant has signed a lease with the property owner, and feels the space is suitable “as is” for the business operations, requiring only a paint job before moving in.

ZONING ANALYSIS and SPECIAL USE REQUIREMENTS

B. Critical Issues

Comprehensive Plan:

The subject lot is part of the Downtown Subarea Plan from 2013 Comprehensive Plan and is located within a 10-minute walk from the Westmont Metra station. The subject lot is shown on this “areas plan” as a storefront with direct access to public transit along Cass Avenue. A Special Use for a professional insurance office at this location will not preclude future redevelopment of the site as there are no plans to remodel the building. Instead, the business owner plans to occupy the building in an “as is” condition, except for basic painting and decorating.

The subject lot is also near the Naperville and Cass Subarea, and its proposed use may bring more pedestrian and customer traffic to the area, which will enhance the commercial nodes that have been identified at Naperville / Cass, as well as the BNSF / Quincy / Burlington and Cass intersections. This property is suitable for a walkable, pedestrian friendly commercial use that will provide needed services to the area and enhance the Cass Avenue commercial corridor.

Special Use 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.

C. Site Plan

See Attached Sheet.

D. Parking Analysis

The project must otherwise comply with all the Village of Westmont Codes, such as off-street parking requirements, as follows:

- I. Per Appendix A, Article X, Section 10.06(J) *Employee parking. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.*

There will be 1-3 employees on the premises at any given time. Therefore, two parking spaces are required. See note below.

- II. Per Appendix A, Article X, Section 10.06(K)(4)(e)(10): Required off-street parking spaces for Business, commercial and industrial uses:

(10) Business, professional and public administration or service office buildings: one parking space for each 275 square feet of floor area. Therefore, approximately 7 spaces are required for customers, in addition to the two employee spaces required for employees. There are no off-street parking spaces available on the subject lot. The prior business obtained a variance for 9 parking spaces. Therefore, the current applicant is exempt from paying parking in-lieu fees.

E. Access

Access to the business is through the frontage on North Cass Avenue, with ample parking on the west and north sides of the corner business.

F. Landscaping

No changes anticipated.

G. Building Details

The property owner has a Memorandum of Understanding with the Fire Prevention Bureau to install sprinkler systems prior to April of 2021. No other changes to the building are anticipated.

H. Policy

Zoning: *B-1 Limited Business District. No zoning change is proposed.*

Existing Land Use: *Vacant storefront space.*

Proposed Land Use: *The proposed land use is shifting from a prior microbrewery to a professional office use on the ground floor of a space that is larger than 1000 feet, and in the B-1 District, for which a Special Use Permit is required.*

Comprehensive Plan: *General Commercial uses are encouraged along North Cass Avenue, with a focus on downtown walkable-friendly establishments. The proposed use is a professional insurance office that will serve existing clients in the area and provides access on foot or automobile with ready parking available immediately adjacent to the building as well as nearby, and is also an existing business use that is consistent with the Comprehensive Plan.*

SUMMARY

A special use permit is required for a professional office. No variances or waivers are requested and parking requirements have been met. All other codes of the Village of Westmont are required to be adhered to. The proposal is consistent with the codes and ordinances reviewed and with the Comprehensive Plan.

I. Attachments

1. *Application*
 2. *Plat of Survey*
 3. *Site Plan*
-

J. Legal

Notification: *Westmont Village codes require the proposal to be advertised with a Class Two Legal Notices and to be considered by the Planning and Zoning Commission at a public hearing. Public notice was provided in the Westmont Suburban Life on July 23, 2020.*

Other Required Actions: *Village Board action is required for this Special Use Permit. After the Planning and Zoning Commission has made a recommendation, the Special Use Permit will be taken to the Village Board of Trustees for review and a final decision on August 27, 2020, subject to any revisions that might be requested by the Planning and Zoning Commission.*

Code Reference: *Village Code Sections 13.07 specifies the requirements to follow for Special Use Permits.*

K. Principal Parties Expected at Meeting

1. Alison Clemens, Clemens Insurance Inc.

MAP SERIES



Image of Subject Property at 41 N. Cass Avenue showing the notification area.



The Existing Land Use Map shows 41 N. Cass as “Corridor Commercial” Designation.

The proposed use of a professional office is compatible with other uses along Cass Avenue.



The Proposed Land Use Map (2013) shows the subject property as “General Commercial Designation” and is surrounded to the south and north by the same designation.



The Zoning Map shows the subject property as B-1 Limited Business District, and surrounded to the north and south by the same zoning district, consistent with the proposed use.

STIPULATIONS FOR PZC CASE No. 000058-2020

The property owner must complete the terms of a Memorandum of Understanding with the Fire Prevention Bureau to install fire suppression equipment by a certain date.
See Memorandum of Understanding, next page.



Westmont Fire Department
 HEADQUARTERS
 6015 South Cass Avenue • Westmont, IL 60559

Administration (630) 981-6400
 Fire Prevention (630) 981-6402
 Fax (630) 829-4486

I.S.O. 1



Commission on
 Fire Accreditation
 International

Letter of Understanding

By agreeing to the provisions of this Letter of Understanding, **Milan Chlupacek**, (BUILDING OWNER) represents that he is the legal owner of the property located at **41 N. Cass Ave**, in Westmont, IL (PROPERTY).

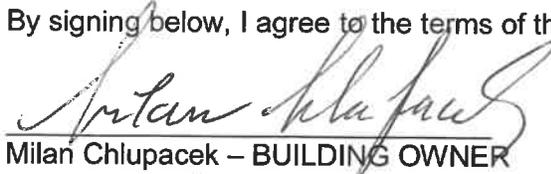
The BUILDING OWNER agrees to install a NFPA 13 compliant automatic sprinkler system, **by September 1, 2021 (DEADLINE)**. The BUILDING OWNER further agrees to meet the specified timeline benchmarks, noted as follows, to ensure that a compliant sprinkler system will be installed and operational prior to the noted DEADLINE.

If the noted PROPERTY or BUSINESS is sold; The requirement to install a compliant sprinkler system at this property is not waived nor are the timeline benchmarks. If PROPERTY or BUSINESS are sold, it is the BUILDING OWNER responsibility to assure that the new owner(s) are aware of the requirement to install a compliant sprinkler system by the noted deadline.

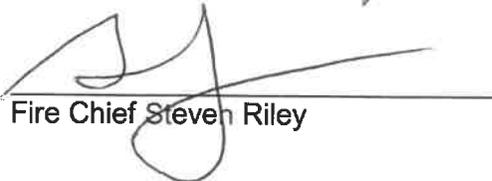
Timeline Benchmarks;

1. Prior to **March 1, 2021** – A sprinkler contractor shall be selected and information regarding the sprinkler contractor forwarded to the Westmont FPB
2. Prior to **April 15, 2021** – sprinkler plans shall be submitted to the Westmont Fire Prevention Bureau for review and approval.
3. Prior to **August 15, 2021**; sprinkler system hydrostatic test must be completed.
4. **September 1, 2021** – Compliant sprinkler system installed, accepted and active.

By signing below, I agree to the terms of this Letter of Understanding;


 Milan Chlupacek – BUILDING OWNER

7/2/2020
 Date


 Fire Chief Steven Riley

7-2-2020
 Date



Westmont Fire Department

HEADQUARTERS

6015 South Cass Avenue • Westmont, IL 60559

Administration (630) 981-6400

Fire Prevention (630) 981-6402

Fax (630) 829-4486

I.S.O. 1



Commission on
Fire Accreditation
International

Letter of Indemnification

The Village of Westmont is granting **Mr. Milan Chlupacek** (BUILDING OWNER) of **41 N. Cass Ave** in Westmont, IL (PROPERTY) **14 months** to comply with installing a required NFPA 13 automatic sprinkler system.

Mr. Milan Chlupacek agrees to indemnify the Village of Westmont, the Westmont Fire Department and the Westmont Fire Prevention Bureau for any fires that may occur, within this granted time extension, resulting in loss of property, or life, which would have been suppressed by a compliant sprinkler system.



Milan Chlupacek – BUILDING OWNER

7/2/2020
Date



Fire Chief Steven Riley

7-2-2020
Date

CONCURRENCY SUMMARY REPORT

Project Name: Clemens Insurance Inc. Special Use Permit - PZC Case #000058-2020

Report Date: August 27, 2020

The proposal is generally consistent with the Comprehensive Plan, the Proposed Land Use Plan, and the Codes and Ordinances for the Village of Westmont.

**PLANNING COMMISSION FINDINGS OF FACT FOR SPECIAL USE PERMIT REQUEST
PZC CASE NO. 000058-2020**

VILLAGE OF WESTMONT PLANNING AND ZONING COMMISSION
FINDINGS OF FACT
PUBLIC HEARING OF AUGUST 12, 2020

P/Z 00058-2020: Clemens Enterprises Inc., regarding 41 North Cass Avenue, Westmont
Request for a special use to allow a ground floor business office in the B-1 Limited Business District.

CRITERIA NO. 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.

FINDINGS OF FACT: The proposed office space is wholly enclosed, and the proposed office use will not emit adverse noise, light or odors, and instead will be a passive small office use.

CRITERIA NO. 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.

FINDINGS OF FACT: The proposed use in an existing building is a passive office use that is wholly enclosed and with sufficient off-street parking. As such, it will not adversely impact surrounding properties or impair property values.

CRITERIA NO. 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.

FINDINGS OF FACT: Surrounding property is fully-developed, and the Applicant is proposing to occupy space in an existing building. This occupancy will not impact the ability of surrounding properties to redevelop.

CRITERIA NO. 4: That adequate utilities, access ways, drainage and/or other necessary facilities have been or are being provided.

FINDINGS OF FACT: The property is already served by adequate utilities, off-street parking and other necessary facilities.

CRITERIA NO. 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.

FINDINGS OF FACT: The property contains sufficient off-street parking. There is additional public parking in the immediate area and the property is served by public sidewalks in the Central Business District.

CRITERIA NO. 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.

FINDINGS OF FACT: No zoning variances are being requested, and the proposed use meets all other code and ordinance requirements of the Village,

The Planning and Zoning Commission agrees with the above findings.

PREVIOUS PZC CASES FILES / OTHER APPLICABLE REGULATIONS

Ordinance 18-114

Ordinance granting a variance for parking. (41 N. Cass) August 2, 2018